



WESTMINSTER

REQUEST FOR PROPOSAL For City Executed Contract

Park and Open Space Acquisition Plan

Solicitation No. PRL-21-211

SCHEDULE OF EVENTS

| | | | |
|--|------------|----------|----|
| • RFP Advertisement | 04/13/2022 | | |
| • Deadline to Submit Written Questions | 04/26/2022 | 4:00 PM | MT |
| • Response to Written Questions | 04/28/2022 | 4:00 PM | MT |
| • Proposal Due Date | 05/09/2022 | 10:00 AM | MT |

Vendor offers to furnish to the City of Westminster the materials, supplies, products or services requested in accordance with the specifications and subject to the Terms and Conditions described herein.

The City contracts with Rocky Mountain E-purchasing System (BidNet®) in the advertisement and facilitation of solicitations administered by the City's Procurement Division; therefore, respondents must ONLY rely on documents provided on the Rocky Mountain E-purchasing System (BidNet®) website or as communicated directly from the analyst. Only rely on this web address: <https://www.bidnetdirect.com/colorado>

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SECTION A: GENERAL INFORMATION & RFP INSTRUCTIONS

A.1 PURPOSE:

The City of Westminster, hereinafter referred to as the City, desires to solicit proposals relating to the development of a Parks and Open Space Acquisition plan in collaboration with City Staff. The selected consultant will develop an appropriate methodology for evaluating the current Parks and Open Space lands based upon existing data including, but not limited to, walkability analysis, census tract information, land use planning, and environmental data to identify areas of potential acquisition that meet criteria set forth in City Municipal Code, the Westminster Comprehensive Plan, the Open Space Stewardship Plan and meet the goals of the City.

Click [HERE](#) to go directly to the City's detailed Scope of Work/Requirements.

A.2 ROCKY MOUNTAIN E-PURCHASING (BidNet®):

The City is collaborating with Rocky Mountain E-purchasing System (BidNet®) in the advertisement and facilitation of Formal Invitations for Bids (IFBs) and Requests for Proposals (RFP) administered by the City's Procurement Division.

It is a requirement of this RFP that interested parties familiarize themselves and register with BidNet®; vendors who do not register may be considered non-responsive.

Registration with BidNet® is available at NO CHARGE and allows vendors access to view governmental bids posted on BidNet®; they offer an additional notification service option with an associated fee. It is the responsibility of the vendor to evaluate and select the service option of their choice.

- The City is not responsible for the actions or lack thereof on the part of the vendor in regards to their interaction with BidNet®, or any other third-party bid notification service in relation to this RFP.

More information is available at: www.rockymountainbidsystem.com or by calling 1-800-835-4603.

A.3 ELECTRONIC SUBMISSION OF BIDS:

Submission of bids for this solicitation may only be done electronically through BidNet®. Bids must be submitted at <https://www.bidnetdirect.com/colorado/cityofwestminster>, no later than the date and time indicated in the bid.

Vendors who feel they are unable to prepare and submit an electronic submittal should submit a request in writing to the Analyst, no later than the Question due date, for permission and instructions for submitting a hardcopy bid.

A.4 RFP QUESTIONS:

The City shall not be bound by and the Vendor shall not request or rely on any oral interpretation or clarification of this RFP. Therefore, any questions regarding this RFP are encouraged and should be submitted in writing by email to:

Purchasing Division
E-Mail: **Purchasing@CityofWestminster.us**

Questions received up to deadline to submit question in the Schedule of Events will be answered in writing per the Schedule of Events. Answers to questions from any Vendor will be provided to all Vendors.

All communications regarding this RFP shall only be through the City's Analyst listed above. No communication is to be directed to any other City personnel.

A.5 ADDENDA:

In the event it becomes necessary to revise, change, modify or cancel this RFP or to provide additional information, addenda will be issued and made available on BidNet®. It is the responsibility of the vendor to confirm that they have acquired all addenda related to this solicitation and they have reviewed/complied with the requirements therein.

A.6 ACCEPTANCE PERIOD:

Proposals in response to this RFP shall indicate that they are valid for a period no less than 120 days from the closing date, and if awarded, through the initial contract period.

A.7 PRICING INSTRUCTIONS:

It is our intent to solicit proposals that afford the City the most cost efficient, technically responsive proposal for the acquisition of the subject matter of this RFP. However, we recognize that there may be arrangements different from that requested hereunder that would offer additional benefits to the City while satisfying the applicable requirements of this RFP. Accordingly, you may submit alternative proposals for consideration, which offer such additional benefits in addition to the requested baseline proposal. These alternatives will be evaluated in conjunction with the primary (baseline) approach for each proposal.

A.8 STATEMENT OF WORK:

Section B of this RFP contains our proposed Scope of Work and/or Technical Requirements. This document shall form the basis of a n executed contract covering the subject matter of this RFP. Exceptions or deviations to this RFP must not be added to the bid pages but must be on vendor's letterhead and accompany bid. Any exceptions to this documentation will be taken into consideration when evaluating bids submitted. The City reserves the right to reject any or all of your proposed modifications. The City welcomes cost saving bids which still satisfy all technical and business objectives.

A.9 RFP CONDITIONS AND PROVISIONS:

This bid must be signed by a duly authorized official of the proposing company. The completed and signed bid (together with all required attachments) must be **MUST** submitted electronically through the Rocky Mountain E-purchasing System (BidNet®).

All participating vendors, by their signature hereunder, shall agree to comply with all of the conditions, requirements and instructions of this RFP as stated or implied herein. Any alteration, erasure or interlineation by the vendor in this bid shall constitute cause for rejection by the Procurement Manager. Exceptions or deviations to this RFP must not be added to the bid pages, but must be on vendor's letterhead and accompany bid. Should the City omit anything from this RFP which is necessary to a clear understanding of the work, or should it appear that various instructions are in conflict, then the vendor shall secure written instructions from the Procurement Manager at least forty-eight (48) hours prior to the time and date of the bid opening shown on page one.

Typographical errors in entering quotations on bid may result in loss of award of contract purchase order.

All vendors are required to complete all information requested in this RFP. Failure to do so may result in the disqualification of bid.

The City reserves the right to postpone or cancel this RFP, or reject all bids, if determined to be in the best interest of the City.

The Procurement Manager reserves the right to waive any technical or formal errors or omissions and to reject any and all bids, or to award contract for the items hereon, either in part or whole, if deemed it to be in the best interests of the City.

The successful vendor shall be in complete compliance with all of the specifications, terms and conditions of this RFP as outlined above. The City shall have the right to inspect the facilities and equipment of the successful vendor to insure such compliance.

No bid shall be accepted from, and no purchase order or contractual contract will be awarded to, any person, firm or corporation that is in arrears to the City of Westminster, upon debt or contract, or that is a defaulter, as surety or otherwise, upon any obligation to the City, or that has failed to attain or demonstrate compliance with any law, ordinance, City regulation, or contract term or condition as may be provided for or required in any City contract, or that may be deemed irresponsible or unreliable by the Procurement Manager. Vendors may be required to submit satisfactory evidence that they have a practical knowledge of the particular work bid upon and that they have the necessary financial resources to perform and complete the work outlined in this RFP.

The vendor agrees to abide by all the laws, regulations and administrative rulings of the United States, the State of Colorado and the City of Westminster, securing all necessary licenses and permits in connection with the bids.

This RFP requires a formal contract to be prepared by the City of Westminster, the successful vendor will properly sign and furnish necessary performance bonds, insurances, Workers' Compensation, etc., as required by the respective bid within ten (10) days (unless a longer period is allowed) from the date of receipt of the formal contract forms.

All vendors must take into consideration that only the City's contract documents, Exhibit A, will be used in the finalization of this contract. This will include the total bid and the City Attorney's general form.

The City shall not be liable for any costs incurred by Vendor in the preparation of proposals or for any work performed in connection therewith or any work subsequent to the submission and prior to the execution of any contract.

A.10 GRATUITIES AND KICKBACKS:

It shall be a breach of ethical standards for any person to offer, give, or agree to give any employee or former employee (within six months of termination from City employment), or for any employee or former employee (within six months of termination from City employment) to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding of application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or bid therefore.

It shall be a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime vendor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.

In the event that any gratuities or kickbacks are offered or tendered to any City of Westminster employee, the bid shall be disqualified and shall not be reinstated.

A.11 NON-COLLUSIVE VENDOR CERTIFICATION:

By the submission of this bid, the vendor certifies that:

- A. The bid has been arrived at by the vendor independently and has been submitted without collusion with any other vendor.
- B. The contents of the bid have not been communicated by the vendor, nor, to its best knowledge and belief, by any of its employees or agents, to any person not an employee or agent of the vendor or its surety on any bond furnished herewith, and will not be communicated to any such person prior to the official opening of the bid.
- C. No vendor shall submit more than one bid for this purchase. It shall be the responsibility of each vendor to obtain the prior written permission of the Procurement Manager before bid opening in every situation in which the vendor, due to corporate association or other affiliation, may be found to be impermissibly associated with another vendor. Failure to observe this requirement could result in all such affiliated bids being rejected.

A.12 AWARDS:

One award will be made on an "all or none" basis. Prices must be shown for each item listed. Bids submitted without individual item prices listed will be considered as non-responsive and rejected.

A.13 PAYMENT CONDITIONS:

Payment under the Agreement shall be according to Section IV of the Agreement. The City will not reimburse the Successful Consultant or other Consultants for any expenses incurred in preparing proposals in response to this RFP.

The Successful Consultant shall furnish the City with a proposed schedule and estimated monthly payments within ten (10) days after receipt of the notice of award.

A.14 LAWS, REGULATIONS, TAXES AND PERMITS:

The Vendor shall procure all permits and licenses, pay all charges, taxes and fees and give all notices necessary and incidental to the due and lawful prosecution of the work. All costs thereof shall be deemed to be included in the prices proposed for the work.

The Vendor, at all times, shall observe and comply with all federal, state, county, city and other laws, codes, ordinances, rules and regulations in any manner affecting the conduct of the work.

To the extent required by C.R.S. § 8-17.5-102(1), by submitting a bid, the Bidder certifies that at the time of bid submission it does not knowingly employ or contract with an illegal alien who will perform work under its bid, and that the Bidder will participate in the E-verify program administered by the United States Department of Homeland Security and the Social Security Administration, or the employment verification program administered by the Colorado Department of Labor and Employment in order to verify the employment eligibility of all employees who are newly hired for employment to perform work under its bid.

A.15 DISCLOSURE OF CONTENTS OF BIDS:

The contents of all bids become a matter of public record and a "Record" under the Colorado Open Records Act, § 24-72-201, et seq., C.R.S. ("CORA"). Upon request to the City, the disclosure of Records is mandatory, with the exception of those Records under CORA which are excluded from disclosure sometimes identified as business or trade secrets or proprietary matters ("Protected Items"). Protected Items so marked may not be disclosed unless disclosure is otherwise required under CORA. If a request is made under CORA for Records, the City will use reasonable efforts to notify the Vendor of the request, and it will be the responsibility of the Vendor to appropriately redact Protected Items from its submittal to the City. If a Vendor does not respond to the City to redact Protected Items as requested all Records may be disclosed by the City. If necessary, a Vendor shall seek a court order to protect their Protected Items, and will defend, indemnify, and hold harmless the City from any claim or action related to the City's withholding of Protected Items.

A.16 PROOF OF REGISTRATION WITH THE COLORADO SECRETARY OF STATE:

Successful vendors that are required to furnish a Certificate of Good Standing from the Colorado Secretary of State's Office, as proof that they are properly registered to do business in the State of Colorado, prior to finalization of award and contracting.

SECTION B: SCOPE OF WORK AND TECHNICAL REQUIREMENTS

B.1 PROJECT BACKGROUND

The City is in western Adams and northeastern Jefferson Counties, encompasses 33.98 square miles and has a population of approximately 116,500. Parks and Open Space are an integral part of the City's Front Range identity. Over the past 50 years the City has acquired or built over 60 parks including the 205-acre City Park, two championship golf courses, an extensive 120-mile trail system and acquired more than 3,700 acres of open space. As of 2019, the parks and open space system encompassed 38% of the City's land area. These acquisitions and developments have been supported by a one-quarter of one percent Parks, Open Space and Trails (POST) Tax initially passed in 1985 in order to protect water quality by conserving natural areas along creeks, protecting, acquiring, improving, repairing and maintaining parks, trails, wildlife habitat, open space and parkland and recreational facilities and provide more opportunities for recreation. The POST tax was extended in 2021 through December 31, 2041.

The City has a long-term goal of providing an equitable parks, open space, and trails system that maximizes residential access and provides for the preservation and protection of the natural environment. As the City approaches buildout, there are limited opportunities to acquire additional land to expand the parks and open space system. Acquisitions of new parks and open space will need to focus on areas identified as opportunities to provide better access to communities, expand connections to existing parks and open spaces complete missing links in the local and regional trail systems and to supplement, or widen, current parks and open space properties.

B.2 SCOPE OF WORK

1. Goals, Objectives, Action Steps and Timelines

Consultant will work with staff to meet the City's vision of beautiful, safe, well-maintained neighborhoods and destinations with a vibrant, diverse economy, rich and resilient environment and a strong sense of community and belonging. The consultant shall define project goals, objectives, work plan, action steps, and timelines associated with the project that will meet the needs of the City and reflect the values of the community to advance innovative parks and recreation opportunities with emphasis on quality of life and geographic equity.

2. Demographics, Inventory and Needs Assessment

The City shall provide any existing data for evaluation of the current Parks and Open Space inventory to include:

- GIS data on the existing Parks and Open Space Lands
- Current trail maps, and desired future connections
- 10-minute walkability analysis (currently in progress)
- Any available data on natural resources, storm water, floodplain, and watersheds
- Preliminary parcel evaluation of the City identifying potential acquisitions
- Access to any demographic data currently held by the City or reasonably obtainable
- Access to current planning and guidance documentation including:
 - Parks and Recreation Master Plan

- The Open Space Stewardship Plan
- 2013 Comprehensive Plan (update in progress)
- The Westminster Transportation and Mobility Plan
- Westminster Municipal Code
- Westminster Station Park Specific Area Plan
- Preliminary Sustainability Plan
- Consultant shall identify and acquire any additional data necessary to evaluate the current parks and open space system, identify areas for acquisition, and develop criteria for prioritizing future acquisitions.
- Consultant will develop geospatial mapping products that identify priority areas for acquisition.
- Consultant shall develop decision making criteria for the evaluation and prioritization of individual parcels for their potential suitability to serve as new parks and open space lands. Criteria shall be developed to meet goals and visions outlined in guiding documentation and with the input of City Staff, City Council, and the Parks, Recreation, Libraries and Open Space Advisory Board (PRLOSAB).
- Consultant shall evaluate current available acquisition funding and mechanisms and provide recommendations for maximizing the City's ability to acquire lands.
- Consultant shall analyze every parcel within or immediately adjacent to the City utilizing developed criteria to create a prioritized parcel acquisition list. This analysis shall identify current ownership, recommend acquisition mechanism, and include an estimate of acquisition cost for highest priority parcels. This list shall reflect the available funding and acquisition mechanisms identified. This parcel level analysis shall be considered a confidential work product.

3. Meetings and Coordination

The City will identify a cross-departmental project team (project team) to provide input and coordination for this project. The consultant shall provide an avenue for City Council and PRLOSAB to provide input into evaluation criteria and review of final deliverables. The City anticipates this will include:

- Two (2) PRLOSAB Meeting Presentations
- Two (2) City Council Study Sessions
- Gathering input from the City Council, PRLOSAB and Project Team
- Regular status reports and meetings with the Project Team, frequency to be determined by the consultant and included in project schedule (see C. 6 below)
- Consultant shall provide written materials, graphics, and all engagement materials required for meetings
- Consultant shall provide meeting summaries for all meetings

4. Final Products

A draft copy of the Parks and Open Space Acquisition Plan shall be created and presented to the PRLOSAB and City Council. Once final approval and feedback is given, the consultant shall make necessary changes to the draft and provide one final hard copy and one electronic copy of the plan to City Staff with maps and any other related documents. The consultant

shall also provide electronic copies of all drafts, meeting notes, and other work products for archive purposes.

Separate from the Acquisition plan, the consultant shall provide a confidential list of prioritized potential acquisitions. This list shall include a recommended acquisition mechanism, current ownership information, and estimation of individual acquisition as well as recommendation for possible funding or partnership strategies.

SECTION C: PRICING / BID ITEMS

C.1 PROPOSAL OUTLINE AND CONTENT:

Proposals must specifically include the following:

1. **Cover letter**
The cover letter should state the consultant's interest in the project and summarize the unique qualities and approach to the Parks and Open Space Acquisition Plan, anticipated interaction and involvement with City Staff, approach to City Council and PRLOSAB engagement and a clear mission statement of how this plan should be developed.
2. **Project Team and Organization**
List members of the project team, their experience, and qualifications as they relate to parks and open space planning and acquisitions, and the project team's current workload. Clearly identify the project manager and include up to three (3) staff resumes. Please also include an organizational chart of the project team.
3. **Related Experience and References**
Include one final copy of a completed project that relates to the scope of services the City is requesting. Provide a list of references and work performed.
4. **Approach and Methodology**
Provide an outline of the contractor's understanding of the project. Summarize the basic approach to providing the services, and any recommendations on improving efficiencies in the process. Describe your organization's process, methodology, and approach for the project. Indicate how your process and approach will accomplish the project objectives. The City is open to any creative suggestions to the Tasks outlined in the request for proposal (RFP) that will improve the project.
5. **Scope of Work**
Describe the work plan for all components within the Scope of Work. The work plan should define the number of meetings and the final work products. Using the general scope provided in this RFP as a guide, describe the sequential work tasks planned to be carried out including a detailed, itemized description of each task and service to be completed, including meetings with City Staff, City Council and PRLOSAB. A detailed list of deliverables should be included. Please also include any additional sections that you believe should be included in the Scope of Work if any.
6. **Project Schedule**
Provide a project schedule indicating anticipated milestones and meetings, with the estimated length of time for completion of the Parks and Open Space Acquisition Plan process. Time estimates should be expressed in number of days/weeks without reference to a specific starting date. The schedule should identify when draft and final work products will be submitted to City Staff.

7. **Fee Proposal**

Provide a compensation summary in a spreadsheet format to include breakdowns of the tasks and the costs for each. The consultant is free to format tasks/milestones under each phase as deemed appropriate based on experience and understanding of the project. Also include the hourly rates applicable fees or expenses.

C.2 REFERENCE LISTING:

Vendors shall furnish the names, addresses and telephone numbers of a minimum of three (3) firms or government organizations for which the vendor has provided similar projects:

Company Name _____

Address _____

Reference _____

Reference Email Address _____

Telephone Number _____

Project Name _____

Value \$ _____

Company Name _____

Address _____

Reference _____

Reference Email Address _____

Telephone Number _____

Project Name _____

Value \$ _____

Company Name _____

Address _____

Reference _____

Reference Email Address _____
Telephone Number _____
Project Name _____
Value \$ _____

C.3 CHANGES:

The City will not consider change orders or amendments unless it is deemed a change in the original scope of the project. All items not itemized in the pricing above which are instrumental to completing the project will be at the cost of the vendor to supply at no additional charge to the City.

C.4 SUBMISSION:

Proposals must be completed electronically in typed format in either Word or PDF documents, and each Consultant must submit the proposal with a complete Certification Page (Exhibit B to this RFP) which must be signed by an authorized signatory.

- 1) For corporations, the Certification Page must be executed in the corporate name by the president or a vice-president (or other corporate officer accompanied by evidence of authority to sign) and the corporate seal must be affixed and attested by the secretary or an assistant secretary. The corporate address and state of incorporation shall be shown below the signature.
- 2) For partnerships, the Certification Page must be executed in the partnership name and signed by a partner, whose title must appear under the signature. The official address of the partnership must be shown below the signature.
- 3) For joint ventures, the Certification Page shall be signed by each participant in the joint venture or by an authorized agent of each participant, and accompanied by evidence of authority to sign.
- 4) The names of all persons signing must also be legibly printed or typed below the signature. A proposal by a person who affixes to their signature the word "president", "secretary", "agent", or other designation without disclosing their principal may be held to be the proposal of the individual signing. When requested by the City, evidence of the authority of the person signing shall be furnished.
- 5) The full name of each person or company interested in the proposal shall be listed on the Certification Page.

The proposal shall contain an acknowledgment of receipt of all Addenda, the numbers of which shall be specified by Consultant.

No alterations in proposals, or in the printed forms therefore, by erasures, interpolations, or otherwise will be acceptable unless each such alteration is signed or initialed by the Consultant. If initialed, the City may require the Consultant to identify an alteration so initialed. No alteration in any proposal shall be made after the proposal has been submitted.

The address and phone number to which communications regarding the proposal are to be directed must be shown.

All prices must be written in words and expressed in figures. The unit price items in the proposal must cover all items of work to be done and material to be furnished to fully complete the work in accordance with the RFP's Minimum Scope of Services, included in Section II of this RFP. The cost of appurtenant items of work, material, and equipment not listed separately, not shown on the drawings or not specified as necessary to complete the work in accordance with the RFP shall be considered as included.

The Consultant may be provided confidential information. Complete confidentiality must be maintained regarding City information and data. Signing of a confidentiality agreement may be required by the Successful Consultant.

The City is exempt from City, State, and Federal sales/excise taxes. Certificates will be issued upon request. Any appropriate taxes shall be shown as a separate item in the proposal.

SECTION D: EVALUATION AND AWARDS

D.1 EVALUATION OVERVIEW:

Any award as a result of this RFP shall be contingent upon the execution of a City Contract.

The City does not discriminate on the grounds of race, religion, color, age, sex, disability, or national origin in consideration of an award. Disadvantaged business enterprises are afforded a full opportunity to submit proposals. Proposals will be evaluated on the Consultant's experience, project understanding and approach.

A review committee will evaluate responses to the RFP that meet the submittal requirements. The review committee will rank the proposals and staff will facilitate interview(s) with the finalist(s) prior to selection.

Upon recommendation of the City Manager, the City Council may reject all proposals when it determines that such action is in the public interest.

Based on the preliminary review of the proposals, Consultants may then be interviewed prior to selection.

D.2 PROPOSAL EVALUATION ITEMS:

The following factors shall be considered when evaluating proposals:

1. The Consultant's skill, ability, and capacity to perform the services required;
2. Whether the Consultant can perform the services within the time period specified, without delay or interference;
3. The Consultant's character, integrity, reputation, judgment, experience and efficiency;
4. The quality of the Consultant's previous performance with the City;
5. The Consultant's previous and current compliance with statutes, ordinances and rules relating to the project;
6. The sufficiency of the Consultant's financial resources necessary for the performance of the project;
7. The Consultant's ability to provide future maintenance or service;
8. The number and nature of any conditions attached to the proposal.

Any award as a result of this RFP shall be contingent upon the execution of a City contract.