



Legislation Details (With Text)

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**On agenda:** 6/22/2021      **Final action:**

**Title:** A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Professional Services with Houseal Lavigne Associates for the Town of Erie Comprehensive Plan

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution No 21-090, 2. Agreement for Professional Services - Houseal Lavigne, 3. Exhibit A to the Agreement - Scope of Services, 4. Professional References, 5. Request for Proposal

Date	Ver.	Action By	Action	Result
6/22/2021	1	Town Council	tabled	Pass

**SUBJECT: GENERAL BUSINESS**

A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Professional Services with Houseal Lavigne Associates for the Town of Erie Comprehensive Plan

**DEPARTMENT:** Planning & Development

**PRESENTER:** Fred Starr, Director of Planning & Development

**TIME ESTIMATE:** 15 minutes

**FISCAL SUMMARY:**

Cost as Recommended: \$397,523.00

Balance Available: \$350,000.00

Budget Line Item Number: 100-30-410-560100-400000 (\$250,000)  
205-30-410-560100-400000 (\$100,000)

New Appropriation Required: No

DOLA Grant Award for project: 205-30-410-412200-400000 (\$100,000)

**STAFF RECOMMENDATION:**

Approve the Resolution to award the contract, authorize Town officer to execute the contract, and authorize staff to expend the budgeted funds.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

Discussions about updating the Comprehensive Plan have been underway since fall of last year; as described in further detail in the project history below. The Board of Trustees authorized a Request for Proposal (RFP) on March 9<sup>th</sup> that was issued on March 12<sup>th</sup>. Presentations from the top three consulting groups occurred on May 18<sup>th</sup> to the Board of Trustees, Planning Commission and the Technical Advisory Committee (Town staff). Twenty-one individuals representing each of these groups scored the written proposals and presentations. Staff proposes contracting with the consulting group with the highest score for the Board of Trustees to consider.

Staff interviewed four of the five professional references provided by Houseal Lavigne; the fifth reference did not respond to our request for an interview. All four of the communities interviewed had good experiences with Houseal Lavigne; a summary of the questions and answers is in the attachments.

Based on the overall scores from the Board of Trustees, Planning Commission and the Technical Advisory Committee the consulting group with the highest score is Houseal Lavigne, followed by Design Workshop and then Logan Simpson. The Board of Trustees has discretion to awarded a contract for work on the Comprehensive Plan to the consultant of the Board's choice.

Fiscal Impact: The contract allows for an expenditure of \$397,000 over an 18-month timeline identified in the scope of services for the Comprehensive Plan amendment. The Town has budgeted \$350,000 and DOLA awarded a grant of \$100,000 for the project.

Project History:

August 19, 2020:

Planning Commission held a study session to discuss the process and scope of a Comprehensive Plan amendment in anticipation of the joint study session with the Board of Trustees on September 29, 2020.

September 29, 2020:

The Board of Trustees and Planning Commission held a joint study session on the Comprehensive Plan update and process. The agenda included:

- Format of the updated document.
- Extent of public outreach.
- Use of an outside consultant.
- Timeline for the project.
- Budget for the project.

A document attachment to this meeting included a memo from the Planning Commission with the summary of their recommendations from the August 19, 2020 meeting.

December 10, 2020:

Comprehensive Plan Amendment Steering Committee meeting (members: Trustee Haid, Trustee Harrison, Commissioner Witt, Commission Sawusch). Agenda included:

- Discussion of original 2003-2005 Comprehensive Plan process.

- Discussion of Erie Town Center charrette and public outreach efforts.
- Discussion of options for Request for Proposal or Request for Information for Comprehensive Plan update.
- DOLA Grant opportunity.

Document Attachments for this meeting included background documents from the 2003-2005 Comprehensive Plan process: schedule; work plan; review criteria; committee formation. Erie Town Center process information: newsletter; and charrette schedule. Two documents from Commissioner Sawusch were also attached.

2021:

A Comprehensive Plan Update is the top issue identified in the Board of Trustees 2021 Work Plan.

January 28, 2021:

Comprehensive Plan Amendment Steering Committee meeting (members: Trustee Haid, Trustee Harrison, Commissioner Witt, Commission Sawusch). The Agenda included:

- Bachelder progress report on tasks completed since last meeting (12/10/2020).
- Review of draft Request for Proposal (RFP) and discussion/agreement on potential changes.
- RFP Evaluation Criteria weighting options for scoring proposals and agreement on which participants will review proposals at initial submittal and interview 3-4 finalists.
- Update on the DOLA grant application process.
- Review of Calendar of Events related to the RFP process and DOLA Grant.

Document attachments for this meeting included: Draft RFP - Comprehensive Plan; RFP Review Comments from Planning Commissioner, Andrew Sawusch; Draft RFP - Evaluation Criteria; and, RFP & DOLA Grant Calendar of Events.

February 9, 2021:

The Board of Trustees authorized Town staff to submit the Energy and Mineral Impact Assistance Fund Grant Application to the Colorado Department of Local Affairs. Document attachment included the grant application with RFP as an exhibit to the grant.

February 17, 2021:

At the Planning Commission meeting, staff and the Steering Committee provided a draft of the Request for Proposal - Comprehensive Plan for Planning Commission consideration. Staff and the Steering Committee requested approval of a Board of Trustees' resolution authorizing staff to publish the Request for Proposal. The staff report stated:

An important element of the RFP are the evaluation criteria that the Town will use to evaluate the proposals submitted. The evaluation criteria listed at the end of the RFP have been put into a spreadsheet that the Technical Advisory Committee (TAC) will use to evaluate all of the proposals submitted to the Town. The top 3-4 consulting groups will be short listed for in person interviews with the Board of Trustees, Planning Commission and TAC. The top ranking consulting group will be offered the contract for the Comprehensive Plan update.

Attachments to the agenda item included the RFP; Evaluation Criteria Spreadsheet with weighting; and, a Calendar of Events.

Planning Commission reviewed and made a recommendation to the Board of Trustees that they Town issue the RFP.

March 9, 2021:

At the Board of Trustees meeting, Planning Commission, staff and the Steering Committee provided a draft of the Request for Proposal - Comprehensive Plan for Board of Trustee consideration with a request to approve a resolution authorizing staff to publish the Request for Proposal. Planning Manager/Deputy Director Deborah Bachelder stated that the staff committee, Planning Commission and Board would use the evaluation criteria to rank the firms. The Board asked questions about the DOLA grant funding, about community engagement, and about the timing for the work, and thanked staff and the Steering Committee for their work in developing the RFP and process.

The agenda item for the March 9 meeting ([Update on Comprehensive Plan Amendment Request for Proposal <https://erie.legistar.com/LegislationDetail.aspx?ID=4818103&GUID=79922699-172B-40F7-8EA5-4A3CC3252307&Options=ID%7CText%7CAttachments%7C&Search=comprehensive+plan+rfp&FullText=1>](https://erie.legistar.com/LegislationDetail.aspx?ID=4818103&GUID=79922699-172B-40F7-8EA5-4A3CC3252307&Options=ID%7CText%7CAttachments%7C&Search=comprehensive+plan+rfp&FullText=1)) states: "Two members from the Planning Commission, Michael Witt and Andrew Sawusch, and two members from the Board of Trustees, Ari Harrison and Adam Haid, formed a steering committee to assist staff in formulating the process and issues to address in an update to the Comprehensive Plan. The steering committee met on December 10, 2021 and on January 28, 2021 to discuss the Comprehensive Plan, a potential DOLA grant, the Request for Proposal (RFP) - Comprehensive Plan draft, review criteria for the proposals and the schedule to hire a consulting group."

The Agenda item also states, "An important element of the RFP are the evaluation criteria that the Town will use to evaluate the proposals submitted. The evaluation criteria listed at the end of the RFP have been put into a spreadsheet that the Technical Advisory Committee (TAC) will use to evaluate all of the proposals submitted to the Town. The top 3-4 consulting groups will be short listed for in person interviews with the Board of Trustees, Planning Commission and TAC. The top ranking consulting group will be offered the contract for the Comprehensive Plan update." The agenda item also included the review criteria spreadsheet as an attachment.

The Board of Trustees approved the resolution authorizing the Town staff to issue the RFP as proposed.

March 12, 2021:

The RFP was issued on Rocky Mountain E-Purchasing.

April 22, 2021:

Deadline for submittal of proposals. The Town received five proposals from the following lead firms: Design Workshop, DTJ, Houseal Lavigne, Logan Simpson, and Placemakers.

April 23-30, 2021:

The Technical Advisory Committee (members: 10 staff from a mix of different Town departments/divisions) reviewed and scored the five proposals submitted. The proposals with the top three scores were notified they would move forward to interviews/presentations.

May 11, 2021:

The Town received notice that we were awarded a \$100,000 grant from the Department of Local Affairs (DOLA).

May 18, 2021:

During a joint Board of Trustees/Planning Commissioner meeting three consulting groups gave their presentations and responded to questions from the Board of Trustees and Planning Commission.

The staff report stated:

Review Process:

All Planning Commission, Board of Trustees, and TAC members are invited to review the written proposals and listen to the presentations after which each person will need to fill out the ratings score sheet that will be used to identify the one consulting group the Town will select for the Comprehensive Plan update work. If any of the Planning Commission, Board of Trustees or TAC members are unable to attend the presentations in person, you are welcome to watch the recording of the session in order to participate in and finalize the scoring of the proposals.

Please read through the Request for Proposal that was issued for the work that includes the review criteria on which you are scoring the proposals. Staff recommends you review the proposals before the presentations as you will have the opportunity after each presentation to ask the consulting groups questions regarding their submittal.

Deborah Bachelder is sending each of you an email with a link to your Excel scoring spreadsheet that has 3 pages; each page is labeled with the consulting group's name. The top portion of each page of the spreadsheet is for scoring the written proposal and the bottom portion is for scoring each presentation. Both sections must be completed by end of the day Friday, May 21<sup>st</sup> (the deadline was verbally extended at the meeting to Sunday, May 23<sup>rd</sup>). The scoring range is 1 to 5 with one being the lowest and 5 the highest. Typically, a score of 3 would indicate that the consulting group adequately addressed the requirement; a score of 1 to 2 would mean it was not adequately addressed; and a score of 4 to 5 would mean the proposal went above the requirement.

Next Steps:

Deborah Bachelder will tally the scores of all the completed Excel scoring spreadsheets to determine the consulting group that will be offered the contract with the Town for the Comprehensive Plan update. The contract is scheduled for consideration by the Board at the June 22, 2021 Board of Trustees meeting.

Attachments to the agenda item included the RFP; proposals from the three consulting groups; and, a copy of the Ranking/Scoring Sheet.

At the end of the consultant group presentations, Deborah Bachelder shared the ranking/scoring sheet and gave an overview of how to fill in the scores and fielded questions.

May 23, 2021:  
Scoring sheet due date.

May 24, 2021:  
This was the date that the scores were to be tallied per the schedule. Three Board of Trustees notified Deborah Bachelder that they did not complete their scoring sheets by the deadline on May 23<sup>rd</sup> and would be submitting their scoring sheets late. The final scoring sheet was provided on May 25<sup>th</sup>. In total, 7 Board of Trustees, 6 Planning Commission and 8 Technical Advisory Committee members completed ranking/scoring sheets.

May 25, 2021:  
Scoring results by each review group and by overall combined scores were tallied by Deborah Bachelder and emailed to the Town Administrator and Mayor. The released scores identified Design Workshop as the consulting group that had received the highest score.

May 26, 2021:  
Town Administrator Fleming informed the Board of Trustees of the scoring results, which showed the overall group rankings having Design Workshop (DW) as the top pick, but the Board scores reflecting Houseal Lavigne (HL) slightly ahead of DW. Administrator Fleming asked Board members to let him know individually if they wanted staff to move forward and negotiate with the group top pick, DW, or the Board's top pick, HL, or to schedule the matter for discussion.

May 27, 2021:  
Administrator Fleming informed Board of Trustees that only two Board members had responded to his May 26 inquiry, and noting that time is of the essence, he would direct staff to start negotiations with Design Workshop and prepare a contract for the Board's consideration on June 22 Board agenda.

May 28, 2021:  
Staff commenced contract negotiations with Design Workshop.

June 4, 2021:  
Earlier in this week Planning Manager Bachelder sent scoring results to consultant groups who requested data to self-evaluate their performance. After reviewing the data, Houseal Lavigne identified an error in a cell formula and notified Planning Manager Bachelder of the error. Correcting the error resulted in Houseal Lavigne receiving the highest score.

June 7, 2021:  
Planning Manager Bachelder notified Administrator Fleming that one of the consulting groups had identified an error in which a small portion of the scores had been omitted from the overall score for that firm. After reviewing all of the other data in the Excel spreadsheets Manager Bachelder confirmed the error and found that was the only error for all three of the consulting firms data. The scores for the three candidates were very close and correcting the formula error resulted in Houseal Lavigne receiving the highest score and Design Workshop receiving the second highest overall score.

Based on this, Planning Manager Bachelder said she would inform the consultants and move forward with preparing a contract with Houseal Lavigne for the Board of Trustees to consider at their June 22nd meeting.

Administrator Fleming notified the Board of Trustees that during review of the scoring data, one of the consulting groups identified an error in the scoring calculations. After staff confirmed and corrected that error, Houseal Lavigne has the highest score (with all three firms being closely ranked based on the combined scores). Based on this updated information, staff will prepare a contract with Houseal Lavigne for the Board's consideration on the June 22 Board agenda.

Staff notified Houseal Lavigne and Design Workshop of the error and commenced contract negotiations with Houseal Lavigne. Both consulting groups were notified that although staff was taking a contract forward for Houseal Lavigne to the June 22<sup>nd</sup> Board of Trustees meeting, as the consulting group with the highest score, that it is at the Board of Trustees discretion who will be awarded a contract.

Staff sent the Excel spreadsheets with the scoring and error sheet to all of the Board of Trustees.

**Board Priority(s) Addressed:**

- ✓ Attractive Community Amenities
- ✓ Engaged and Diverse Community
- ✓ Prosperous Economy
- ✓ Well-Maintained Transportation Infrastructure
- ✓ Small Town Feel
- ✓ Safe and Healthy Community
- ✓ Effective Governance
- ✓ Environmentally Sustainable
- ✓ Fiscally Responsible

**ATTACHMENTS:**

1. Resolution No. 21-090
2. Agreement for Professional Services - Houseal Lavigne
3. Exhibit A to the Agreement - Scope of Services
4. Professional References
5. Request for Proposal