



City of Brainerd

Request for Proposals and Qualifications

For Zoning Code Update Services

I. Summary

The City of Brainerd, Minnesota (the “City”) is seeking professional planning services (the “Consultant”) to lead the City in updating its zoning code. The City desires an approach that takes its current more traditional zoning standards and updates them in a way that specifically speaks to the unique character of the City’s neighborhoods and commercial corridors with an emphasis on in-fill and mixed-use development and redevelopment while shifting the focus from primarily the use of development to the physical character of development. The final product must be an innovative, intuitive, highly-illustrative, and user-friendly code that will implement the vision of the City’s comprehensive plan, which was updated and adopted by the City Council in October 2019.

Proposals must be received by the City no later than 4:30p.m. on Friday, August 14, 2020 and should be addressed to:

**City of Brainerd
Attn: David Chanski
501 Laurel St.
Brainerd, MN 56401**

Submit three (3) hard copies of the proposal as well as an electronic version in a sealed mailing envelope, or package, with the responder’s name and address written on the outside. The envelope, or package, must be clearly identified with “Zoning Code RFP” on the outside. At least one copy of the proposal must be signed in ink by an authorized member of the firm. **Prices and terms of the proposal as stated must be valid until December 31, 2020, and for the length of any resulting contract.** The City is not bound to enter into a contract with any respondent and may delay entering into a contract with any respondent for up to 4 months.

II. General Information

Incorporated in 1873 along the banks of the Mississippi River, the City of Brainerd is a chartered, home rule city located in and is the seat of Crow Wing County, serves as the economic and social hub for the 5 region area of Crow Wing, Cass, Morrison, Todd, and Wadena counties, and is approximately 100 miles from the Twin Cities. The City has an area of approximately 8.4 square miles and a population of approximately 13,465. The City's zoning code last underwent a significant update in 2008, and a major comprehensive plan update was adopted by the City Council in October 2019.

The majority of the City was developed prior to 1950, with much of the existing commercial and residential architecture as well as platting dating back to the late 1800's. While the City's planning commission dates back to the late 1950's, it did not have a dedicated planning operation until 1980's when the City hired its first city planner. Due to these factors, much of the community does not conform to most traditional zoning standards. As such, the City is seeking an approach that promotes the preservation and enhancement of the unique character of the City's neighborhoods and commercial corridors. Additionally, as the City is almost entirely built out, an emphasis on in-fill and mixed-use development and redevelopment that promotes a mix of housing types with an emphasis on site and building form while also improving residents' ability to find goods and services within close proximity to their homes is desired.

The City's zoning code can be found at: <http://ci.brainerd.mn.us/212/Zoning-Code>

The City's comprehensive plan can be found at:
https://www.ci.brainerd.mn.us/DocumentCenter/View/5324/Brainerd_ComprehensivePlan

III. Content of Proposal

The purpose of this section is to identify the information that should be submitted:

A. Title Page

Show the proposal subject, the name of the consultant's company, address, telephone number, email, name of the contact person, and the date.

B. Table of Contents

Include a clear identification of the material by section and by page number

C. Identification and Qualifications of Assigned Personnel

The ideal consultant (a company or individual) should have extensive experience in updating municipal zoning codes with an emphasis on form-based zoning and preservation of historical architecture. Include the following:

1. The names, qualifications, and resumes of the person(s) who will be responsible for the implementing the zoning code update.

2. Background information concerning the consultant, including the number of years in business under this name and the number and breakdown of personnel in the proposing office.

D. Consultant’s Detailed Approach to the Scope of Services

The proposal shall address in detailed fashion the approach of the consultant to the Scope of Work.

E. Basis for Compensation

The consultant should outline the basis for compensation including identification of all rates and reimbursable expenses.

F. List of References and Potential Conflicts

1. A list of public clients shall be provided.
2. Potential conflicts of interest must be disclosed

G. Disclosures and Assurances

1. Applicant Authority – Assurance that the signatory making representations in the proposal on behalf of the consultant has the authority to do so.
2. Insurance Coverage – Documentation of current insurance coverage and limits, including professional liability insurance shall be provided with the proposal.

IV. Scope of Work

The finished product should be a complete repeal and replace – entirely or in part – of the zoning code. The new code must be intuitive, highly-illustrative, and user-friendly. While the entirety of the zoning code shall be under review, specific attention should be focused on reducing the City’s 18 zoning districts into compact mixed-use districts that speak to the unique character of each neighborhood and commercial corridor while shifting the focus from primarily the use of development to the physical character of development.

The Scope of Work should include the items listed below. City staff will work with the selected consultant to establish specific timelines, budget and deliverables for the project. The Consultant shall be responsible for writing the new zoning code, as well as providing guidance on best practices and trends, and checking assumptions.

A. Diagnose Current Zoning Code

- Review current code for inconsistencies and conflicts with best practices and trends.
- Review the 2035 Comprehensive Plan. The Consultant will identify goals, recommendations, and implementation strategies, to ensure the new code is consistent with the Comprehensive Plan.

- Guide the City through discussions on desired changes to the zoning code and ultimate goals for the final product.
- Develop recommendation for the use of form-based elements within the code.
- Evaluate existing zoning districts and compare to the unique characteristics and needs of each neighborhood and commercial corridor.
- Propose timeline for the completion of the new code, including if such policies such as development moratoriums should be put into place during the update process.

B. Internal and External Outreach

- Conduct input and process update sessions with internal stakeholders including but not limited to the City Council, Planning Commission, Economic Development Authority, and Housing & Redevelopment Authority.
- Develop and execute a plan for informing and receiving input from the Brainerd community.

C. Draft Document

- Prepare drafts of the zoning ordinance, including graphics for review by staff, culminating in a final version to be presented to acted upon by the Planning Commission and City Council.

D. Implementation

- Work with City staff to make the new code interactive and accessible to the public.
- Work with City staff to develop informational campaign regarding major changes to the code.

V. Selection

The City of Brainerd reserves the right to reject any or all proposals and is not bound to accept the lowest cost proposal if that proposal is contrary to the best interest of the City. All proposals shall be considered valid until December 31, 2020.

Selection of the company or individual shall be based upon, but not limited to, the following criteria:

- The consultant's approach to and understanding of the Scope of Work.
- The consultant's experience with similar contracts and clients.
- The experience and qualifications of the proposed staff in providing similar services.
- The extent to which previous clients have founds the consultant's services acceptable.
- The consultant's most significant qualifications for this project.
- Previous City experience with the consultant, if any.

VI. Terms and Conditions

- A. The City of Brainerd reserves the right to cancel or amend the request for proposals at any time. The City reserves the right to determine the successful respondent. The City reserves the right to reject any or all proposals.
- B. The City of Brainerd will not be liable for any costs incurred by the company or individual responding to this request.
- C. The company or individual shall not assign any interest in this proposal and shall not transfer any interest in the same without the prior written consent of the City of Brainerd.
- D. For the purposes of this agreement, the consultant shall be deemed to be an independent contractor, and not an employee of the organization. Any and all agents, servants, or employees of the firm or other persons, while engaged in the performance of any work or services required to be performed by the City of Brainerd under this agreement, shall not be considered employees of the City of Brainerd and any and all actions which arise as consequence of any act or omission on the part of the consultant, its agents, servants, employees or other persons shall in no way be the obligation or responsibility of the City of Brainerd. The consultant, its agents, servants, or employees shall be entitled to none of the rights, privileges, or benefits of the organization employees except as otherwise may be stated herein.
- E. No official or employee of the City of Brainerd who exercise any responsibilities in the review, approval or carrying out of the proposal shall participate in any decision which affects his or her direct or indirect personal or financial interest.