

## Request for Proposals

### Periodic Update of the City of Covington's Shoreline Master Program

*Date Issued:* Tuesday, February 20, 2018

*Proposal Due:* Tuesday, March 27, 2018 by 4pm

Notice is hereby given that the City of Covington, Washington is seeking submittal of proposals from service providers qualified to provide consulting and research services in preparing an update to the City's Shoreline Master Program including critical area and flood damage prevention regulations.

#### Background

In 2011, the City completed and the Department of Ecology approved the City's Shoreline Master Program (SMP). The City is now preparing for the State required periodic review of the SMP due on or before June 30, 2019 for cities in King County.

In tandem with this SMP periodic review and update, the City would like to review and update the critical area regulations and flood damage prevention regulations that govern the shoreline jurisdiction and are currently located in Appendix A and B of the SMP. Ideally, Covington would like to consult with Ecology to see if it is possible to consolidate these with the City's approved Growth Management Act (GMA) Critical Area regulations and Flood Damage Prevention regulations in the Covington Municipal Code (CMC 18.65) (with any necessary amendments to ensure adequate protection of the city's shoreline jurisdiction). The critical area and flood damage prevention regulations in CMC 18.65 and 16.15 were updated in 2017 for all critical areas within the city located outside of the shoreline jurisdiction.

Furthermore, city staff is aware of typos, readability, formatting, gaps, and organizational issues with the current SMP that we would like to address with this periodic update to make the document more readable and useable for staff and applicants.

The City's [Shoreline Master Program](#) (including Appendix A the critical area regulations for the SMA), the [Map](#) of the Shoreline Management Environmental Designations; Appendix B, the [Shoreline Restoration Plan Component](#), and the [Cumulative Impacts Analysis Component](#) of the SMP, the Shoreline Element of the [Comprehensive Plan](#) 2015-2035, and the GMA critical area ([CMC 18.65](#)) and flood damage prevention ([CMC 16.15](#)) regulations (for areas outside of the shoreline jurisdiction) can be viewed on the City's website at <http://www.covingtonwa.gov/>.

### Scope of Work

The consultant will work with city staff as well as local, State and Federal agencies to prepare background information, review recommendations, and prepare the environmental review, necessary amendments to the SMP, as well as amendments to the associated Critical Area Regulations, Flood Damage Prevention Regulations, and other associated development regulations that reference or regulate the city's shoreline jurisdictions for presentation to the Planning Commission and City Council. Public participation shall be incorporated throughout the SMP process. The City of Covington intends to use the joint review process for amending the SMP as allowed for under WAC 173-26-104.

The consultant selected shall demonstrate how they will provide the following:

- Assist staff throughout the process to coordinate and consult with Ecology to provide them opportunities to review draft deliverables and provide comments.
- Develop a Public Participation Plan in consultation with city staff that encourages public involvement in the SMP periodic review consistent with WAC 173-26-090 throughout the course of the SMP periodic review process.
- Draft outreach and informational documents with graphics as needed, public notices that inform the public of the periodic review of the SMP, and seek their input and involvement, including coordination of notice for the public hearing and comment period with Ecology pursuant to WAC 173-26-104.
- Consult with and solicit the comments of any persons, groups, federal, state, regional, or local agency, and tribes, having interests or responsibilities relating to the city's shorelines or any special expertise with respect to any environmental impact to the city's shoreline jurisdiction. The consultation process should include adjacent local governments (i.e. Maple Valley) with jurisdiction over common shorelines of the state (i.e. Pipe Lake).
- Review the city's SMP, chapter 90.58 RCW, and Ecology's rules and determine if amendments are needed to the city's SMP to maintain compliance. Utilize Ecology's checklist to assist in this review and document what SMP changes are being made to address new statutory or regulatory changes and when no amendments are necessary.
- Determine if any new information or improved data is available since the last update of the SMP in 2011 that warrant amendments to the SMP.
- Staff has noted specific areas within the SMP where improvement and clarification of the regulations would be beneficial including: the Nonconforming Use and Development Standards and improvements to the actions that may be used to reduce the required shoreline buffer (e.g. restoration of shoreline habitat).
- Review the Comprehensive Plan and development regulations (CMC Title 13, 14, 16, 17 & 18) to determine if they are consistent with the SMP and if any amendments are necessary to city code and the Comprehensive Plan. Provide a consistency analysis to support any recommended changes to the SMP or the Covington Municipal Code. Review the critical area and flood damage prevention regulations adopted as part of the SMP in 2011 for consistency with GMA critical area regulations and flood damage prevention regulations adopted in 2017. Evaluate if a unified set of critical areas and flood damage prevention regulations is possible to meet goals

for consistency, simplicity, and efficiency (note staff has had preliminary discussions with Ecology staff who have indicated they are open to one unified Critical Area and flood damage prevention regulations assuming their concerns to protect the shoreline to a higher level are addressed).

- Evaluate shoreline permits issued since 2011 and relate to the city's cumulative impacts analysis and monitoring program to determine if any amendments are warranted.
- Review the Shoreline Restoration Plan (Appendix C) for the Shoreline Master Program, prepare a supplemental memo or appendix as necessary to provide updated information and references and discuss how the city is or can continue to meet the stated restoration goals and objectives.
- Draft proposed amendments to the SMP, critical area regulations, and flood damage prevention regulations. Amendments to the SMP should incorporate corrections to typos and reorganization to make it easier to navigate and apply. Ideally, the SMP update will include the codification of the SMP regulations into the Covington Municipal Code and necessary goals, policies, and background information of the SMP as part of the Shoreline Element of the Covington Comprehensive Plan.
- SEPA review and documentation of the proposed amendments. Prepare the SEPA Checklist and Threshold Determination.
- Technical and scientific support in communications with Ecology and other State agencies.
- Technical and scientific support during Planning Commission and City Council deliberations.
- Prepare a summary responding to all comments received during the public comment period, at any public meeting/open house, the Planning Commission hearing, and any City Council hearings, prior to Council adoption of the draft SMP.

### **Submittal of Proposals and Budgets**

Consultants should submit 3 hard copies and an electronic copy (flash drive) of their proposal by 4 PM on Tuesday, March 27, 2018, to Covington City Hall. The consultant is solely responsible for ensuring that proposals are delivered on time via mail, courier, or in person. Proposals received after the due date and time may not be accepted and discarded. Faxed or emailed proposals will not be accepted. Each proposal must be limited to thirty (30) one-sided pages and shall include:

1. Names of project team members, their related experience specific to Washington State GMA, Shoreline Management Act, Shoreline Master Program Guidelines, and understanding of the city's SMP, Comprehensive Plan, critical area and flood damage prevention regulations and their expected roles in this project. List the anticipated percentage of time the project manager will have available for this project. Please identify the portions of the project anticipated to be performed by sub-consultants and who they are.
2. Three references from jurisdictions with similar projects performed by the firm/team under a similar scope of work and budget.
3. Proposed approach and methodology to the scope of work, a suggested work program outline, time schedule, deliverables and budget for all phases. Insights or suggestions from the consultant team on the structure or strategy for the periodic update of the SMP are welcome.
4. All actions & deliverables called for or proposed with deliverables, corresponding at a minimum, to the scope of work outlined above, with a breakdown of estimated hours and assigned personnel in each work task and phase, and costs associated with each task.

5. A description of how the consultant team provides quality control and review to assure adequate level of service, cohesive work documents, and successful project completion and management.

The proposal and all materials submitted with the proposal shall become the property of the City, and will be subject to Public Record Requests. Any proprietary information submitted with the proposal must be clearly identified and a request to keep such information confidential must be submitted.

The issuance of this RFP constitutes an invitation to submit a proposal. The City is under no obligation to select any of the responding consultants. This RFP may be withdrawn by the City for any reason, and the City shall have no liability for any costs incurred in preparing a proposal.

### **Budget**

The City of Covington has budgeted up to \$50,000 in the 2018 adopted budget for this update if needed. The final dollar amount, tasks, and schedule will be negotiated with the selected firm/team as part of the final contract for this periodic update. If the city is unable to negotiate a satisfactory contract with the firm selected, negotiation with that firm will terminate and the city may select another firm.

The consultant teams proposed budget total should include all expenses and materials to deliver the work products. The city of Covington will not be liable for any costs incurred by the consultant in preparation of a proposal submitted in response to this RFP, in conduct of a presentation or other activities related to responding to this RFP. No costs chargeable for work under the proposed contract may be incurred before receipt of either a fully executed contract with the city or specific written authorization from the City of Covington.

### **Consultant Selection**

Proposals will be considered only from firms that can demonstrate having a broad background and extensive experience and capacity with planning and environmental review in Washington State, and which specifically address the following criteria:

- Ability to demonstrate an understanding of the city's needs and special challenges for this periodic update of the SMP.
- Degree of interest and responsiveness shown in undertaking the project.
- Overall quality of the response including creativity of the written proposal describing the approach and methodologies the consultant will use. Demonstration of past ability of completing similar projects and meeting deadlines, including references.
- Current workload of firm and key personnel.
- Qualifications and experience of key staff and sub-consultants who will participate in the project on state and local planning issues and policies including but not limited to the Growth Management Act, Shoreline Management Act and Covington's Comprehensive Plan, SMP, critical area regulations, and flood damage prevention regulations.

## **INTERVIEWS & SELECTION**

Each complete proposal received prior to 4 PM on Tuesday, March 27, 2018, will be reviewed by city staff and ranked against the other proposals based on the criteria listed above. If additional information is needed, the city may extend an invitation to the top proposals to be interviewed by a city panel. The tentative date of interviews, if any, is expected to be the week of April 9, 2018.

The city interview panel's overall evaluation of each of the consultants interviewed will focus on the strength of their written proposal and presentation. Each interview will be limited to 45 minutes and include a 30-minute presentation from the consultant giving an overview of their approach and methodology for all phases. The panel will be looking at the strength of the consultant's knowledge of local and state planning laws and policies that directly affect the issues being address with this periodic update of the SMP, and their ability to present their findings in a format understood by the public and elected officials. The remaining 15 minutes will give the city panel an opportunity to ask questions of the consultants. The final selection will be made by the interview panel after ranking each firm against the other based on the criteria listed above. The top ranked firm will be asked to enter into a contract with the city, unless no firm is selected.

## **General Assumptions**

The scope of work contained in this document is predicated upon the following provisions, assumptions, and conditions that should be part of any proposal and budget submitted by a consultant. The purpose of this list is to enumerate and describe mutual expectations and understandings required of all parties to this scope of work in order to complete each phase of this project on time and within budget.

1. The city may eliminate any task and associated contract hours/fees at any point throughout the contract period and will provide written notification of the task elimination to the consultant. Consultants will be paid for any task and associated contract hours/fees incurred prior to notification of cancellation.
2. All work products, including records, files, documents, plans, computer disks, magnetic media or material which may be produced or modified by the consultant or sub-consultant while performing work shall belong to the City of Covington. Digital copies of any data collected by the consultant or sub-consultants shall be provided to the City of Covington.
3. All consultant deliverables will be prepared in MS Word format. All spreadsheets and graphs will be prepared in MS Excel format. All maps and graphs shall be produced in color where appropriate. Digital copies of draft and final deliverables will be provided in both MS Word and PDF file formats as requested by city staff. Digital versions shall include all graphics, tables and appendices in suitable form for publishing on the city website.
4. Unless otherwise agreed upon, the city is responsible for document reproduction and distribution of all review and final drafts.
5. The consultant will have primary responsibility for coordinating, reviewing, and editing information obtained from their team members to ensure that the individual sections of the

work submitted are prepared as part of one cohesive framework and/or document consistent in style and content.

6. The city will provide all available government documents, studies, maps, GIS data layers, and mapping and other technical information pertaining to the 2011 SMP based on the consultant's data request. Any documents provided in hardcopy shall be returned to the city as appropriate upon completion of the contract.
7. The city will consolidate all internal city staff review comments on draft review documents and provide a single, complete set of comments to the consultant's project manager for revisions.
8. The consultant will provide project updates and other information suitable for posting on the city's website. The city is responsible for website updates of available project materials.
9. Note the Community Development Department is not open on Fridays; the city's Planning Commission typically meets the 1st and 3rd Thursday of the month starting at 6:30; the City Council typically meets on the 2nd and 4th Tuesday of the month starting at 7pm. The newspaper of record for the city is the Covington Reporter, a weekly newspaper published on Fridays. Staff reports and/ or any associated attachments (e.g. draft or final documents, ancillary material, supporting memos) are due to the city two weeks before the associated planning commission or city council meeting. This information must be taken into consideration when scheduling project milestones and legal noticing.
10. City staff will be responsible for distribution of meeting notices, public meeting room arrangements, and other logistics for public meetings and hearings.
11. Consultants who are awarded a City of Covington contract must obtain a City of Covington business license if required pursuant to CMC 5.10 Business License Acquisition. This shall be the responsibility of the firm to pursue and complete if required.

## Questions and Submittals

Questions concerning this RFP and the submittal of proposals should be directed to:

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