



CITY OF ATLANTA

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Mayor

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DEPARTMENT OF PROCUREMENT
David L. Wilson II
Chief Procurement Officer

February 28, 2019

Dear Potential Proponents:

Re: FC-10449, Zoning Ordinance Rewrite and Update

Attached is one (1) copy of **Addendum Number 4**, which is hereby made a part of the above-referenced project.

For additional information, please contact Jesse Wilson, at (404) 865-8736 or by email at jewilson@atlantaga.gov.

Sincerely,

A handwritten signature in black ink that reads "David L. Wilson II".

David L. Wilson II

DLW/jw

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ADDENDUM NO. 4

This **Addendum No. 4** forms a part of the Request for Proposals and modifies the original solicitation package and any prior Addenda as noted below and is issued to incorporate the following:

1. Questions and Answers

Total of Twenty-Six (26) questions attached hereto as Attachment No. 1.

2. Proposal Due Date:

Proposal due date has been changed to **Thursday, March 7, 2019.**

The last day for questions was Wednesday, January 9, 2019 at 5:00 P.M. EST.

The Proposal due date **HAS been modified** and Proposals are due on **Thursday, March 7, 2019** and should be time stamped in no later than **2:00 P.M. EST** and delivered to the address listed below

David L. Wilson II
Chief Procurement Officer
Department of Procurement
55 Trinity Avenue, S. W.
City Hall South, Suite 1900
Atlanta, Georgia 30303

****All other pertinent information is to remain unchanged****

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Acknowledgment of Addendum No. 4

Proponents must sign below and return this form with Proposal response to the Department of Procurement.

Proponents must sign below and return this form with Proposal response to the Department of Procurement, 55 Trinity Avenue, City Hall South, Suite 1900, Atlanta, Georgia 30303 as acknowledgment of receipt of this Addendum.

This is to acknowledge receipt of **FC-10449, Zoning Ordinance Rewrite and Update, Addendum No. 4** on this the _____ day of _____, 20__.

Legal Company Name of Bidder

Signature of Authorized Representative

Printed Name

Title

Date

Attachment No. 1

Questions (26)

Note to Proponents: A new official zoning map consistent with the written text is a deliverable of this RFP. Responders are to consider the cost of creating a new zoning map along with other deliverables associated with this RFP.

1. Does the City have an established logo and brand established for this project or would the consultant be expected to provide this?

Answer: The Department has an established brand and logo that will be utilized during this process.

2. Does the City want the consultant team to provide press releases and communications services (beyond meeting dates, flyers, etc.) or will those be handed by City's Office of Communications?

Answer: The Regulatory Team in conjunction with internal communications already in place will handle press releases and communications.

3. Will Office of Zoning and Development/City Design Studio staff assist with public meetings as they did during the Quick Fixes? Will said staff handle NPU presentations or will the consultant be expected to present to NPUs? The Office of Zoning

Answer: The Office of Zoning and Development has a regulatory team made up of planners and reviewers that will be present at all presentations with the consultants and will provide assistance with public meetings/presentations/etc. Additionally, the proposed community engagement should seek to provide information beyond the traditional website/public meeting/community meeting/NPU meeting. Engagement should utilize social media and any and all other forms of communication to make people aware of the rewrite that have been used by the consultant team before or that can be created for this task.

4. In filling out the disclosure form for FC-10449 I noticed the following:

13. Please identify any Personal or Financial Relationships that may give rise to a conflict of interest as defined below [Please be advised that you may be ineligible for award of contract if you have a personal or financial relationship that constitutes a conflict of interest that cannot be avoided]:

(a) Personal relationships: executives, board members and partners in firms submitting offers

must disclose familial relationships with employees, officers and elected officials of the

City of Atlanta. Familial relationships shall include spouse, domestic partner registered

under section 94-133, mother, father, sister, brother, and natural or adopted children of

an official or employee.

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(b) Financial relationships: Respondent must disclose any interest held with a City employee or official, or family members of a City employee or official, which may yield, directly or indirectly, a monetary or other material benefit to the Respondent or the Respondent's family members. Please describe:

*Is there a way to determine if a personal relationship might make a team ineligible? My spouse works as an administrative assistant in the Office of Zoning and Development. While his job has nothing do with zoning or this RFP.

Answer: Based on the information provided above there appears to be no apparent conflict which would make the team ineligible. However, a definitive determination will be made upon review if all documents submitted.

5. Pursuant to the requirements of the RFP:

We are a law firm that is currently working as outside counsel for the City of Atlanta – more specifically, we are currently defending the City of Atlanta in more than one (1) case challenging final zoning decisions made by the Mayor and City Council. We have been approached as a possible team member for a proposal in response to the subject RFP. We do not represent any parties whose interests are averse to the City. As such, we are of the opinion that no rule governing the practice of law would prohibit either our participation in the RFP process or our performance of the work if we were part of a chosen team. Is there any applicable rule or procedure of the City that would prohibit our participation in the RFP process? And, is there any applicable rule or procedure of the City that would prohibit our firm from continuing to represent the City in litigation if we were part of the selected team?

Answer: Based on the information provided above there appears to be no apparent conflict which would make the team ineligible. However, a definitive determination will be made upon review if all documents submitted.

6. Our team is comprised of multiple firms. Should we provide at least 4 references *total*, or 4 references *per firm*? (RFP Section 3.2.4)

Answer: Please provide references for each firm participating in this solicitation to include a minimum of four (4) references total.

7. Does the requirement to provide at least two letters of reference apply to only the prime consultant, or to the prime and all sub-consultants? (RFP Section 3.2.4.6)

Answer: Prime consultants are the only firms required to submit at least three (3) references for this solicitation.

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8. Recognizing the City's extensive efforts towards increasing sustainability and resiliency through plans and programs such as Resilient Atlanta, Clean Energy Atlanta, and the Climate Action Plan, would the City consider accepting electronic/digital proposals in lieu of printed copies?

Answer: No.

9. If we do not wish to redact any information in our proposal, should we only submit one CD? (RFP Section 5.3)

Answer: No. Proponents should still submit two (2) digital copies of their Proposals, labeled as per section 5.3.

10. May a Proponent provide USB flash drives rather than compact discs?

Answer: No. See 'Section 5.3' under Part 2 of the RFP.

11. Should the Cost Proposals be hole-punched or bound in any way? (RFP Section 5.5)

Answer: Proponents should submit Cost Proposal as outlined in section 5.5 of Part 2 of the RFP, whether they are holed punched or not is up to the Proponent.

12. Does the proposed Zoning Ordinance Rewrite and Update include incorporating Part 15: Subdivision or is it limited to Part 16: Zoning?

Answer: The rewrite does not include an update to Part 15, however, any changes that are made to the zoning code should be made in consultation with Part 15 and shall not be inconsistent with Part 15. If during the process it becomes necessary to update/amend Part 15 to be compatible with the new Part 16 they should be identified so that necessary changes may be made.

13. Does the City anticipate changes to other code sections not currently in Part 15: Zoning?

Answer: Please note that the sign code is based upon existing zoning categories and changes will have to be made.

14. Today the historic preservation regulations are contained with the Zoning Ordinance. Several months ago, an RFP was issued to review and assess these regulations. What is that status of that effort? Does the City anticipate significant changes to historic district regulations as part of this initiative?

Answer: The Historic Preservation Strategy (HP) is progressing. Presently, the regulations as written will remain a part of Part 16. The consultant is not expected to rewrite any provisions of the Historic Preservation code(s) as any changes to those code provisions will be recommended by the HP Strategy consultant team. They will continue to be a part of the Zoning Code as written. Please note as changes are made in the zoning

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rewrite they should be done in consultation with Urban Design as a stakeholder. It is anticipated that the preservation strategy will be complete prior to the Zoning Ordinance rewrite. There will be changes from the Historic Preservation strategy that will be acted upon and the Zoning Ordinance rewrite may reveal other concerns/ideas/tools that could be used.

15. Does the City anticipate involvement/support of the City Design Studio and/or Office of Zoning and Development into the process?

Answer: All City departments are expected to be a part and provide expertise as stakeholders including but are not limited to Office of Buildings, Department of Public Works, Office of Housing and Community Development, Department of Procurement, Department of Law, and Department of Watershed.

16. Sub-task II.2. mentions "design pattern books to ensure the preservation, urban design and architectural styles in communities." Could the City please provide more detail on what this is expected to include? How will the "pattern books" be used by the City? At what level?

Answer: The City is seeking pattern books that will be used to retain neighborhood character and creating the "look" of Atlanta. Pattern books are anticipated to be used as a guideline for builders/developers to use and follow when designing the built environment. Pattern books will be used by staff planners to review projects that are subject to design review.

17. The RFP appears to ask for a binding cost proposal, yet sub-task I.2 states that costs for Tasks 2 through 4 shall be developed at the of Task 1. Does the City plan to finalizes phases at the end of Task 1?

Answer: Please note the cost proposal details all tasks and deliverables associated with the rewrite. Responders should provide their best estimate for all tasks and deliverables as outlined.

18. Will the Consultant Team be expected to prepare adopting legislation, or will the City Law Department prepare this?

Answer: No. The Department of City Planning will prepare the Legislation for this project.

19. After discussing the matter internally, our Team believes a project of this magnitude may benefit from additional time for all proposals, based on the following:

- a) Since the Pre-Proposal Conference and responses to any submitted questions are occurring the week prior to the current deadline at the most, the time to

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incorporate information from the meeting and responses to questions is compressed into the last 5 or 6 days of the proposal period. In order to account for printing and shipping, this timeframe is likely shorter, as proposals will need to be printed Monday and be shipped Tuesday, January 15th to ensure timely delivery.

- b) We experienced some delays in coordination with Team members being out for the holidays, which has reduced our timeframe for preparing our response.
- c) The proposal is understandably extensive, given the scope of the required effort, and includes specific formatting for content, resumes, and presentation of information. This contributes a good bit to the time needed to prepare the response, particularly in regard to any information resulting from the Pre-Proposal Conference and the City's response to questions.
- d) The current federal government shutdown prevents us from accessing certain websites (e.g., e-Verify) necessary to complete the submittal.

Answer: Please refer to Addendum No.4, Item No. 1.

20. Please advise how to comply with the requirement to provide two bank references when a firm has only one financial institution (Form 3, Part B 1. (c) (iv)).

Answer: If providing unaudited financial statement an income statement, balance sheet, and one (1) bank or another institutional lender's reference will be accepted.

21. Please confirm whether the one "original" version of the proposal must include original signatures on all forms, *including forms and letters from subcontractors*.

Answer: The Proponent's "original" version of there proposal must contain all "original" signatures and seals.

22. Please confirm whether Form 7 (References) must be notarized.

Answer: No. Form 7 (References) does not require a notary.

23. Please confirm whether Form 7 (References) is required for only the prime contractor, or for the prime and all subs.

Answer: Please see response to question No. 7.

24. If Form 7 is only required for the prime, would the City nonetheless accept references from the subs?

Answer: No.

25. Is it acceptable to provide e-Verify information following selection? Due to the federal government shutdown, the e-Verify website is unavailable.

Answer: Form 1 should be submitted as required.

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26. Will the City post the sign in sheet from the Pre-Proposal Conference? If so, when and where will it be posted?

Answer: The sign-in sheet from the Pre-Proposal Conference is posted on the Department of Procurement's website on January 8, 2019 and may be accessed by following the below link: <https://procurement.atlantaga.gov/fc-10449-zoning-ordinance-rewrite-and-update/>. Please refer to the website to review.