

STAFF REPORT

To: Honorable Mayor Smith and members of the City Council;
City Manager, Brenda Fischer

From: Brent Billingsley, Development Services Director

Date: November 20, 2012

RE: Zoning Code Rewrite: Professional and Technical Services Award of Contract
– *Dyett & Bhatia*, Urban and Regional Planners, Discussion and Action.

REQUEST

The Mayor and City Council shall discuss and possibly take action on a request by Development Services Director, Brent Billingsley to approve an Award of Contract to *Dyett & Bhatia* Urban and Regional Planners, of San Francisco to provide consulting services for the City of Maricopa Zoning Code Rewrite, in an amount not to exceed \$330,750 for the 2013-2014 fiscal year, the funding source has not been finalized at the time of writing this report as Brent, Danielle and Tom Duensing are in discussion identifying the source. However, the procurement process is in compliance with City of Maricopa Purchasing Code, Section 3-4-6.

RECOMMENDATION

Staff recommends approval of the Award of Contract to *Dyett & Bhatia*, Urban and Regional Planners, of San Francisco to provide consulting services for City of Maricopa Zoning Code Rewrite services.

COUNCIL PRIORITIES AND/OR THEMES ADDRESSED

- Quality of Life
- Economic Sustainability
- Managing the Future

PROJECT INFORMATION

The City of Maricopa is proposing an update to the existing City of Maricopa Zoning Code to create an innovative and integrated Municipal Zoning Code based on Smart Growth principles that is user and development community friendly.

The City of Maricopa wishes to update the Zoning Code, including Form-based Code Special Overlay Districts, and an Interactive Web-based Zoning Code customer support tool. The initial phase of the overall program involves a comprehensive assessment and analysis and rewrite of the City's existing Zoning Code known locally as the City of Maricopa Zoning Code

(Pinal County Zoning Ordinance), adopted in 2004 as Title 16 of the City Code inclusive of all amendments by the City.

The initial Phase will include a review and assessment of applicable Arizona Revised Statutes relative to the City of Maricopa Zoning Code Rewrite. The first phase would be concluded by the adoption of a reformatted Zoning Code inclusive of revised procedures, revised zoning districts, detailed regulations and development standards, a revised zoning map and the identification of areas within the City where form-based codes could be contemplated. It is expected that at least one area of the City would be identified as an area to utilize a form-based code under the scope of work for a future phase of this project.

Selection Process

Per Arizona State Law, a Request for Statement of Qualifications (RSOQ) solicitation was used to select the planning consulting firm (attached Exhibit B). A five person evaluation committee was established that consisted of four (4) City staff and a member of the City of Maricopa Planning and Zoning Commission. Specific evaluation criteria were provided within the RSOQ and were used by the committee during the selection process; see the attached Purchasing Summary and RSOQ within the contract documents.

Scope and Fee

Immediately following the selection, the most qualified designer (*Dyett & Bhatia*) was asked to provide a scope of work and Request for Priced Task Assignment (RPTA) fee proposal for Zoning Code Rewrite Services. After review and discussions between the City and *Dyett & Bhatia*, a fee of \$315,000 was agreed upon; (see Exhibit C) of the contract for a detailed scope, schedule and fee.

Per their RPTA, the order of magnitude fee, per phase is:

Phase I = \$235,000

Phase II = \$60,000

Phase III = \$20,000

Dyett and Bhatia (RPTA) had indicated that it would be all inclusive except for special on-site meetings over and above what they listed. So the *Not to Exceed* amount is \$315,000 plus 5% contingency of \$15,250 for a total of \$330,750.

PURCHASING SUMMARY

See attached summary produced by the Purchasing Department (Exhibit D).

CONCLUSION

Dyett & Bhatia have a proven track record and the Firm has demonstrated sufficiently their experience with zoning code, zoning law and land use work and these types of planning consulting services.

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