

TOWN OF MIDLAND



TERMS OF REFERENCE AND REQUEST FOR PROPOSALS

SOURCE PROTECTION PLAN IMPLEMENTATION STUDY

March 2014

Town of Midland
Planning and Building Services
575 Dominion Avenue
Midland, Ontario
L4R 1R2
705-526-4275

TOWN OF MIDLAND

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GENERAL INFORMATION

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SECTION A

INFORMATION

1. Scope of Proposals

The Corporation of the Town of Midland invites proposals for the **Source Protection Plan Implementation Study** leading to an amendment to the Town of Midland Official Plan and Zoning By-law pursuant to the Terms of Reference provided in Section B of this document.

2. Terms of this Request for Proposals

The Terms of Reference for the study are set out in Section B to this document. The requirements for the Proposal Submission are set out in Section C of this document. All three sections of this document comprise the REQUEST FOR PROPOSAL (RFP) for the **Source Protection Plan Implementation Study**.

3. Questions and Clarifications

Proponents having questions and seeking clarification respecting the RFP shall do so in the following manner:

- a. Questions shall only be submitted in writing and by email to the Director of Planning and Building Services at: wcrown@midland.ca
- b. Questions shall be submitted by 12:00 p.m. (noon) on **Friday, March 28, 2014**.
- c. Answers to all submitted questions will be emailed to the invited consultants on **Friday, April 4, 2014**.

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SECTION B

TERMS OF REFERENCE

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1. Background

Pursuant to the *Clean Water Act*, the South Georgian Bay Lake Simcoe Source Protection Committee submitted the Proposed Source Protection Plan and Explanatory Document to the Ministry of Environment on October 22, 2012. The Source Protection Committee is currently reviewing comments from the Ministry of the Environment and will be moving to public consultation on the source protection plan and assessment reports in the coming months. It is anticipated that Provincial approval of the Source Protection Plan will occur in 2014.

In accordance with Section 40 of the *Clean Water Act*, the Council of the Town of Midland is required to amend its Official Plan to conform with the source protection plan and specifically with the significant threat policies set out in the source protection plan.

In addition to the above, pursuant to Section 39 of the *Clean Water Act*, all decisions under the Planning Act or the Condominium Act, 1998 made by Council shall conform with the significant threat policies set out in the source protection plan and have regard to the other policies set out in the source protection plan.

The proposed study will ensure that the South Georgian Bay Lake Simcoe Source Protection Plan is thoroughly analyzed and that appropriate policies, guidelines, regulations and land use designations/zones are proposed for the Town of Midland Official Plan and Zoning By-law to ensure that Council is meeting its legal obligations under the *Clean Water Act*.

2. Current Planning Framework

Full copies of the **Source Protection Plan** are available on the South Georgian Bay Lake Simcoe Source Protection Region website at www.ourwatershed.ca. In addition, the planning framework includes the **Midland and Penetanguishene Tier Three Water Budget and Local Area Risk Assessment Report** dated January 2014, also available at the above website. Implementation Guides have also been developed by the Source Protection Committee, including ***Understanding Where Policies Apply*** and ***Land Use Planning***. All Implementation Guides are also available on the Source Protection website at www.ourwatershed.ca/implementation/guide.

Full copies of the Town Official Plan and Zoning By-law are available on the Town's website at <http://www.midland.ca/Pages/plan.aspx>.

Full copies of the County of Simcoe Official Plan (both the in force and proposed) are available at the County's website at www.simcoe.ca/dpt/pln

4. Consultation and Meeting Requirements

The proposal must contain the consultant's recommendations for public consultation as part of the study. In recognition that the study includes all of the Town of Midland, the consultant should

consider and recommend creative ways to engage and consult with the public during the development of the **Source Protection Plan Implementation Study**, including engaging the specific property owners who could be most impacted by the Study and its implementation. It is understood that the Town Planning and Building Services Department will be responsible for the consultation plan as set out in the accepted Proposal.

At a minimum, the proposal shall include the following meetings:

- a. Three meetings with the Planning and Development Committee at Project Commencement, Interim report and Final Report stages.
- b. A Public Open House and the Statutory Public Meeting under the *Planning Act* to consider the study and its proposed amendments to the Official Plan and Zoning By-law.

5. **Scope of Work/Overview**

The study will involve identifying those policies and requirements of the Source Protection Plan that should be incorporated into the Town's planning documents, search and identify current best practices in relevant Ontario municipalities for source protection land use policies and regulations, and provide specific recommendations regarding the required amendments to the Town's Official Plan and Zoning By-law.

It is anticipated, but not required, that the study could be undertaken in two Phases as follows:

Phase 1 – Requirements and Issues Report

- Review Source Protection Plan and Tier 3 Report to determine the relevant significant threat policies that should be implemented in the Town planning documents.
- Undertake an assessment and review of existing best practices in regards to source protection, well head protection, significant threat policies in relevant jurisdictions in the Province of Ontario.
- Consult with key stakeholders, specifically Town staff including the Risk Management Inspector (RMI) and Public Works and Engineering staff, and the Severn Sound Environmental Association (SSEA).
- Present the result of this work to the Planning and Development Committee.

Phase 2 – Proposed Official Plan and Zoning By-law Amendments

- Work with staff to develop draft amendments implementing the recommendations of the Issues Report.
- Identify and recommend the required amendments to the Town's planning documents (Official Plan and Zoning By-law) to implement the Issues Report.
- In discussion with the Town and the County of Simcoe, refine the draft amendments.
- Present the draft Amendments at the required Public Open House and statutory Public Meeting.
- Revise the draft Amendments based on the input received from the public consultation process and prepare the final documents for Council consideration and adoption.

6. Work Plan

The proposal must provide a Work Plan indicating the timing for conducting the Source Protection Plan Implementation Study, the approximate timing for the various tasks included in the study, and the date of submission of the various reports and amendments to the Town.

7. Study Objectives

- a. Prepare a report and draft Amendments that will provide the Town with guidance for future decision making and a long-term plan for source water protection in accordance with the *Clean Water Act* and the Source Protection Plan.
- b. Ensure that a proper explanation is provided in respect of the Town's role in source protection, our obligations to implement the Source Protection Plan, and identify best practices for the Town to meet its obligations under the *Clean Water Act*.

6. Project Budget

The maximum upset project budget has been set at \$20,000.00. The Town will assume all costs with notice and advertising and is willing to undertake the mapping component for the required amendments.

7. Deliverables

The selected consultant will be required to provide the following to the Town at the conclusion of the study:

- a. Three (3) bound hard copies of the final Issues Report and the draft OPA and ZBA.
- b. One (1) electronic PDF version of the final report and draft Amendments on appropriate media (CD or DVD).
- c. One (1) electronic MS Word version of the final report and draft Amendments on appropriate media (CD or DVD).
- d. One (1) electronic copy in PDF or DWG or compatible version format of all plans and/or drawings produced during the study.

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SECTION C

PROPOSAL SUBMISSION REQUIREMENTS

THE CORPORATION OF THE TOWN OF MIDLAND

PROPOSAL SUBMISSION REQUIREMENTS

1. Required Proposal Format

The Terms of Reference contains several sections all of which need to be addressed for your proposal to be considered. Please double check your finished document to ensure that you have included all the required information. In order to receive uniform format of responses and information from all prospective consulting firms the following should be addressed and included in your submission:

- a. Proposals should be submitted electronically only in PDF format including a letter of submission signed by an authorized representative of the Consultant as set out in section A.7 below.
- b. Proposals shall be less than 7 MB in size and shall be less than 15 pages in total length. Proposals shall generally be limited to standard letter format (21.59 cm x 27.94 cm). Cost Estimates and Work Plan/Timing may be in larger formats.
- c. Proposals must outline the cost of conducting the study listed in the Terms of Reference both as a total price, total plus HST and by a cost per task format.
- d. The proposal shall include a Work Plan for the study and the projected and expected time frame for the study.
- e. The Proposal will include a summary of the Consultant's professional information and history and relevant experience shall be included.
- f. A summary of past projects which will demonstrate the Consultant's experience in the study tasks as outlined in the terms of reference.
- g. Proposals must be submitted with a minimum of three references listed for contact respecting recent and relevant projects.

2. Evaluation Process

A staff committee (Director of Planning and Building Services, Director of Public Works, Town Engineer, and Chief Administrative Officer) will evaluate the proposals and make a recommendation to Committee and Council on the selected Consultant. Consultants may be asked to submit further written information.

The selection of a Consultant is a competitive process and therefore the Town reserves the rights to accept or reject in whole or in part any or all proposals and cancel all or part of this RFP process for any reason at the sole discretion of the Town and to negotiate contracts with the selected Consultant whose proposal is considered to be most acceptable to the Town.

3. Evaluation Criteria

The selection committee will make its selection based on the following evaluation criteria:

- The degree to which the proposal responded to the RFP and Terms of Reference.

- The demonstration of relevant experience in similar studies and the professional reputation of the consultants.
- The demonstration of creative approaches to community consultation and study process.
- The demonstrated ability of the consultant to provide the services defined in this RFP.
- The total cost.
- The overall project timing.

4. Interviews

Consultants may be asked to attend an interview with the Selection Committee prior to final consideration by Council.

5. Assumptions and Contract

The selected Consultant will be expected to enter into a Contract with the Town. The selected Consultant will indemnify the Town from all costs, charges, expenses and other claims with respect to the job functions being carried out. This will include possessing and confirming:

- General Liability and/or Professional Liability Insurance
- Automobile Liability Insurance
- WSIB Clearances (if required)
- Any other labour requirements of the Province

6. Contract Award

The final authority to award the study rests solely with the Council of the Town of Midland. Consultants are advised that the lowest cost proposal will not be necessarily be awarded the contract, as the selection will be based on the above qualification criteria and cost is only one of the criteria. The Town will not be responsible for any preparations cost incurred by the Consultant submitting a proposal and will not pay for any travel expenses to participate in interviews or contract negotiations.

7. Submission of Proposals

Proposals should be submitted electronically only in PDF format including a letter of submission signed by an authorized representative of the lead Consultant, to:

planning@midland.ca

Attention: Director of Planning and Building Services

Subject: SOURCE PROTECTION PLAN IMPLEMENTATION STUDY

Wesley R. Crown, MCIP, RPP.

Director of Planning and Building Services

Town of Midland

575 Dominion Avenue,

Midland, Ontario

L4R 1R2

(705) 526-4275, ext. 2216

The Town will not accept proposals in any other format. It is the responsibility of the Consultants to ensure that the proposal has been received and that all documents required have been submitted. Submitting a proposal confirms and certifies that the prospective proponent has read and fully understands and accepts the terms of the RFP and its requirements.

8. Submission Deadline

Proposals must be received by **12:00 p.m. (noon) on Friday April 11, 2014**. Proposals received after this date and time will not be considered.