
REQUEST FOR PROPOSALS
HOUSING REQUIREMENTS SPECIALIST

for
Housing Requirements Land Development Regulations Update
for

TOWN OF JACKSON and TETON COUNTY, WYOMING



March 13, 2017

SECTION ONE: DESCRIPTION OF REQUESTED SERVICES

1.1. Purpose

Teton County and the Town of Jackson intend to enter into a contract with a consultant who will provide services related to the update of the requirements in the County and Town Land Development Regulations (LDRs) that developers must provide housing as part of new development to mitigate the need for housing generated by development. The purpose of the Housing Requirements LDR Update is to align the requirements in the LDRs with the community's housing policies as stated in the Comprehensive Plan and Housing Action Plan.

- Primary LDR Divisions to be updated:
 - 6.3. Employee Housing Requirements
 - 7.4. Affordable Housing Standards
- Comprehensive Plan Strategies implemented by Project:
 - 5.3.S.2: Update current mitigation requirements as necessary.
- Housing Action Plan Actions potentially implemented by Project:
 - Update the mitigation requirement for residential development to a simpler standard based on floor area.
 - Update the mitigation requirement for commercial development to a standard that mitigates for year-round employee generation.
 - Ensure Town and County requirements work together as a single, simpler system.
 - Explore limits on the rate of residential and nonresidential growth to limit employee generation.

1.2. Need

A consultant needs to have knowledge and experience in:

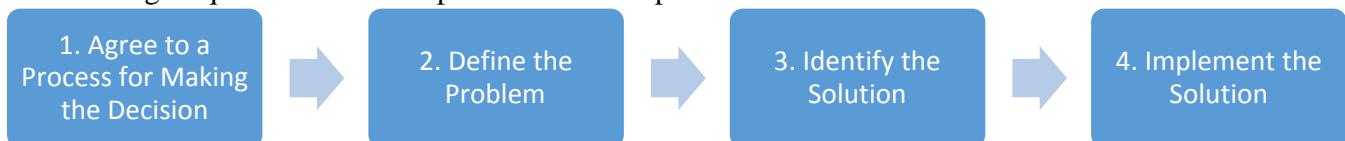
- Housing nexus study
- Drafting housing requirements
- Housing requirements law, specifically as it applies in Wyoming

A consultant would benefit from knowledge of:

- Housing requirements in communities of similar size and socioeconomics

1.3. Required Services

The Housing Requirements LDR Update will have 4 phases.



The Town of Jackson and Teton County are seeking a qualified professional for the provision of the following services in each phase.

1. Phase 1

- No services

2. Phase 2

- A list of high level policy questions that must be answered by the Board of County Commissioners and Town Council to inform the housing requirements LDRs. Implicit answers to policy questions represented by the current housing requirements LDRs must be explicitly confirmed or modified.
- Identification of the causes and policy questions underlying a community generated list of issues with the current housing requirements LDRs.
- Drafting of materials for public workshops and/or online engagement to educate the public on the current housing requirements LDRs and identify their issues with the current housing requirements LDRs.

3. Phase 3

- Development of alternative approaches to the housing requirements LDRs. Alternatives may be based on successful approaches in communities with similar housing issues or may be innovative approaches that address Jackson/Teton County's issues.
- Analysis of the alternative approaches relative to:
 - implementation of the Comprehensive Plan and Housing Action Plan,
 - stakeholder impact,
 - success in other jurisdictions, and
 - need for supplemental nexus study
- Legal analysis of alternative approaches provided through privilege to the County and Town Attorneys.
- Drafting of materials for a public review of alternatives.

4. Phase 4

- Supplemental nexus study, if required. The intent is to use the 2013 Employee Generation by Land Use (Nexus) Study (available at www.jacksonetonplan.com) as the basis of the housing requirements LDRs. However the County and Town are aware that some alternatives may require supplemental nexus study.
- Draft updated LDRs.
- Legal review of updated LDRs provided through privilege to the County and Town Attorneys.

1.4. Schedule

A specific schedule will be developed in coordination with a separate public engagement coordinator. However there are benchmark deadlines that apply to Phases 2 and 3 of the project. The required services will be expected to be provided far enough in advance of the benchmark dates that the deadlines can be achieved.

- By end-June 2017 the Board of County Commissioners and Town Council shall have agreed to a defined scope of issues/problems that will be the focus of the project. (Phase 2)
- By mid-December 2017 the Board of County Commissioners and Town Council shall have agreed to direction on each of the issues/problems. (Phase 3)
- By May 2018 the Board of County Commissioners and Town Council shall have adopted updated LDRs. (Phase 4)

For reference, a decision map is included on the next page that outlines the schedule, desired outcomes and participation for each phase of the project. Each phase ends with a decision from the Board of County Commissioners and Town Council, which is then the foundation for the work in the next phase.

		BCC/TC	Staff	Consultant	Focus Group	Public											
Phase	Roles	Desired Outcomes						May	Apr.	Mar.	Feb.	Jun.	May	Apr.	Mar.	Feb.	
1. Agree to a Process for Making the Decision		<ul style="list-style-type: none"> • March JIM <ul style="list-style-type: none"> ◦ A shared responsibility for the success of the project ◦ Timeline expectations for each phase ◦ Assigned roles and responsibilities for each phase • A decision on the appropriate content consultant 	May	Apr.	Mar.	Feb.	Jun.	May	Apr.	Mar.	Feb.	May	Apr.	Mar.	Feb.		
2. Defining the Problem		<ul style="list-style-type: none"> • An understanding of the existing housing requirements so that we can identify which policies need to be updated • A list of the issues with the housing regulations and their underlying causes, generated through a public forum ❖ A list of policy questions that need to be answered to address the underlying causes (Benchmark: End June) 	May	Apr.	Mar.	Feb.	Jun.	May	Apr.	Mar.	Feb.	May	Apr.	Mar.	Feb.		
3. Identify the Solution		<ul style="list-style-type: none"> • A list of alternative policy directions to answer the identified questions by staff and the content consultant • An analysis of the alternatives by the content consultant and focus group(s) • Public review of alternatives analysis ❖ Direction on which policies to implement through updated LDRs (Benchmark: Mid-December) 	May	Apr.	Mar.	Feb.	Jun.	May	Apr.	Mar.	Feb.	May	Apr.	Mar.	Feb.		
4. Implement the Solution		<ul style="list-style-type: none"> • A draft of the updated LDRs • Public review of the draft LDRs • A list of potential change to the draft to better implement the direction • Adopted LDR Updates 	May	Apr.	Mar.	Feb.	Jan.	Dec.	Nov.	Oct.	Sep.	Aug.	Jul.	Jun.	May	Apr.	

1.5. Provided Resources

The project webpage can be found at:

- <http://www.tetonwyo.org/compp/topics/housing-requirements-ldr-update/254529/>

The following responsibilities will be fulfilled outside the scope of the proposal:

- Project Manager – the Jackson/Teton County Long-Range Planner will be the project manager.
- Public Engagement – A consultant, managed by the Long-range planning department will coordinate public outreach for the Housing Requirements LDR Update as well as the Town Zoning Updates, Town Parking Study, Housing Department Rules and Regulations Updates, and Natural Resource LDR Updates (see *2.1. Background*). An RFQ for the consultant was released February 21. Staff will recommend a consultant to the Board of County Commissioners and Town Council on April 3.
- Meeting Facilitation – The Jackson/Teton County Planning Director will provide opinion-neutral facilitation for Focus Group and Board of County Commissioners and Town Council meetings as needed.
- Economic Feasibility – A Focus Group (or Focus Groups) will be formed during the alternatives analysis phase of the project to evaluate the economic feasibility, effect, and impact of various alternatives on development pro formas.
- Editing and Final Drafting – The project manager will provide edits and final drafting as needed, working from the initial draft of the consultant.

Policy guidance and relevant regulations: (all can be found at www.jacksonetonplan.com)

- Jackson/Teton County Comprehensive Plan
- Jackson/Teton County Housing Action Plan
- 2013 Employee Generation by Land Use (Nexus) Study
- Town of Jackson Land Development Regulations
- Teton County Land Development Regulations
- Jackson/Teton County Housing Authority Rules and Regulations (fka TCHA Guidelines)

SECTION TWO: BACKGROUND

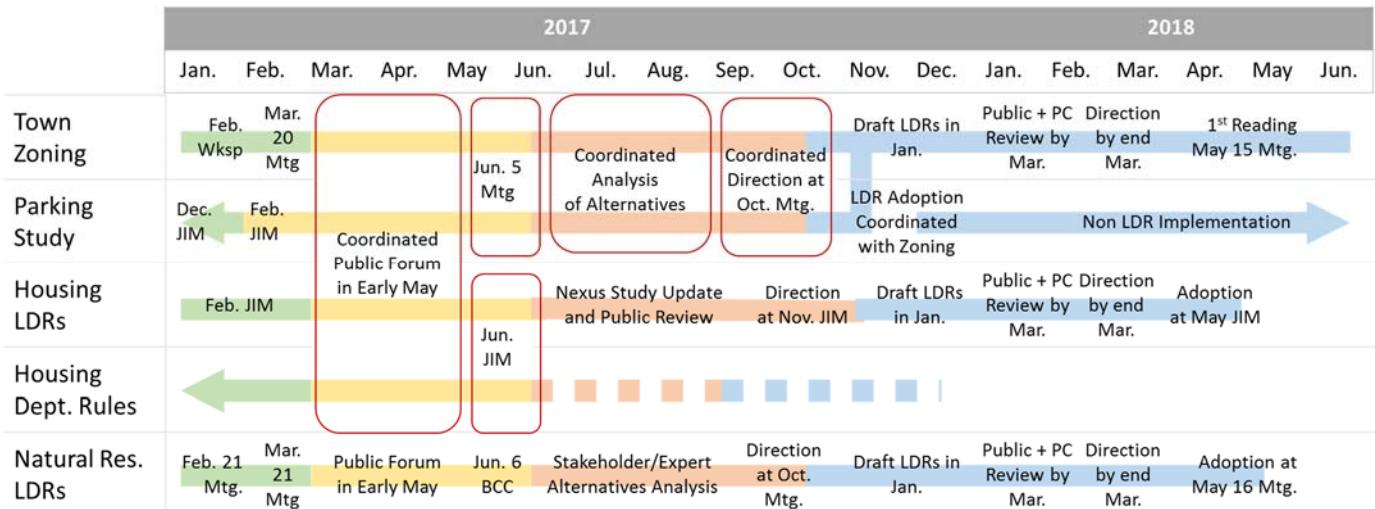
2.1. Background

Jackson is the sole municipality within Teton County, Wyoming, a resort community at the gateway to Grand Teton and Yellowstone National Parks. The Jackson/Teton County community has a joint Comprehensive Plan and jointly plans much of its land use, transportation, and housing policy. The Jackson/Teton County Comprehensive Plan, adopted in 2012, and the Jackson Teton County Housing Action Plan, adopted in 2015, call for an update to the County and Town housing requirements LDRs.

The Housing Requirements LDR Update project does not exist in a vacuum. It is informed by past decisions and research and will impact implementation of many aspects of the LDRs.

- Comprehensive Plan Policy Direction
 - Policy 5.1.a: House at least 65% of the workforce locally
 - Policy 5.1.b: Focus housing subsidies on full-time, year-round workers
 - Policy 5.1.c: Prioritize housing for critical service providers
 - Policy 5.2.c: Provide workforce housing solutions locally
 - Policy 5.2.d: Encourage restricted rental units

- Policy 5.3.a: Mitigate the impacts of growth on housing
- Policy 5.3.b: Preserve existing workforce housing stock
- Policy 5.4.b: Avoid regulatory barriers to the provision of workforce housing
- Housing Action Plan Initiative Direction
 - 5C. Require mitigation of employees generated by growth that cannot afford housing
- Nexus Studies to Inform Housing Requirements
 - 2013 Employee Generation by Land Use (Nexus) Study
 - 2007 Housing Needs Assessment
 - 2002 Employee Generation Study
 - 1994 Housing Nexus Study
- Relationship of Housing Requirements to Housing Incentives and Allowances
 - The Housing Requirements LDR Updates can only address housing need generated by development and redevelopment.
 - The existing shortage of housing and the loss of existing workforce housing to non-workforce occupants has to be addressed through allowances and incentives.
 - Allowances and incentives will be discussed as part of zoning updates, not this project.
 - If housing need generated by development and redevelopment is not fully mitigated through housing requirements, it too will have to be addressed through allowances and incentives.
- Relationship of Housing Requirements to Housing Department Rules and Regulations
 - The Housing Requirements in the LDRs specify the amount, location, and type of deed restricted housing that must be provided within a development. The Housing Department Rules and Regulations establish the occupancy, qualification, size, and other standards for deed restricted units.
 - The Housing Department is updating its Rules and Regulations (FKA Housing Authority Guidelines) concurrently with the update of the Housing Requirement LDRs. However that update is an independent project and not part of this request for proposals.
- Relationship of Housing Requirements with other LDR Updates
 - Technically, housing requirements are independent from the other zoning requirements in the LDRs, and therefore these updates have little opportunity to create inconsistencies, and will not hold up other processes.
 - Practically, a housing requirement is a development cost that is evaluated by a developer along with all other development costs; and if the sum of all development costs is too great, the development will not occur.
 - The Housing Requirement LDR Updates is one of 5 projects currently being initiated that will have coordinated public engagement. A separate RFQ was released February 21, with responses due March 14, for the provision of public engagement services.



- Current (“1994”) Housing Requirement LDRs
 - The current housing requirements are based on a 1994 Nexus Study, which found that the subdivision/entitlement of new units was the cause for rapidly increasing land value and therefore home price.
 - Under the current LDRs an inclusionary requirement that 20-25% of all new residential units be restricted is intended to provide the affordable housing for year-round residents generated by growth who cannot afford market housing.
 - Under the current LDRs a mitigation requirement on nonresidential development is intended to house the seasonal workers generated by the development that cannot afford housing.

2.2. Project Stakeholders

The Housing Requirements LDR Updates will have an impact on the entire community. Below, community interests are broken into stakeholder groups organized by how the project will affect each group.

- Decision Makers
 - **Council and the Board** will adopt the housing requirements. They are responsible for balancing housing requirements with housing incentives, allowances, and funding to meet the community’s housing goals.
 - **The Town and County Planning Commissions** will review and make a recommendation on the updated housing requirements and should be involved in the process through all phases so that they can provide the most constructive recommendations.
- Stakeholders Directly Affected by the Housing Requirements LDRs
 - **75% of Households** in Teton County make 120% or less of the family median income. There are few-to-no homes for sale at an affordable price to such households. Housing requirements ensure that low and median income households generated by growth have affordable housing options.
 - **Single-family home builders**. Housing requirements for residential development are currently the responsibility of developers. As an example, if those requirements are shifted to the time of building permit many more landowners will be expected to provide required housing and the (already high) cost of construction will increase.

- **New Business Owners** are currently responsible for housing their seasonal employees who cannot afford housing. As an example, a change to the housing requirements that required a business owner to house a portion of their year-round employees as well, would increase the cost of starting a new business
- **Developers**. Housing requirements are a major part of a developer's pro-forma and will determine whether or not a project is feasible. Changes to the housing requirements for residential, lodging, commercial, or institutional development will impact what types of development make the most economic sense.
- **Planning Staff** is tasked with implementing the housing requirements. It will have to understand and explain day-to-day application to community. Staff will also be responsible for making any administrative decisions they are assigned.
- **Housing Staff** is tasked with managing the units that are required to be provided. It is also responsible for using any in-lieu fees to produce housing through development or partnership.

- Stakeholders with Indirect Interest in the Housing Requirements LDRs
 - **Non-profit Housing Developers** will likely be exempt from requirements because they already provide deed-restricted housing, but the community seeks their opinion on all housing issues.
 - **Housing Advocates** will be interested in ensuring the impacts of development are fully mitigated.
 - **Property Rights Advocates** will be interested in limiting the requirements on development. They may take legal action if they perceive the housing requirements to place more burden on development than is its "fair share".
 - **The Business Community** has an interest in expansion of business opportunities, but also in ensuring that new business does its part to address the housing issue in the community so as not to make the housing shortage worse for existing employers.
 - **Conservation Advocates** will be interested in ensuring that the housing requirements promote growth in the proper location and do not increase overall impact to the community's natural resources.
 - **Anti-growth Advocates** see housing and other impacts as reasons to prevent further growth. Their goal is not to ensure that the employees generated have housing opportunities, their goal is to avoid any justification for building housing, by prohibiting employee generation to the extent possible.

SECTION THREE: SUBMITTAL CONTENT / QUALIFICATIONS

3.1 Submittal Qualifications

Consortiums, joint ventures, or teams submitting offers will not be considered responsive unless it is established that contractual responsibility rests solely with one individual, firm, or corporation. Teton County will contract with one Entity only in conjunction with the services solicited in this Request for Proposals (RFP).

3.1 Submittal Content

Consultants shall adhere to the following format and content in their submittal:

1. **Identification of the Submitting Entity.** State the name of the firm, mailing address, telephone number, email address, and individual authorized to negotiate on behalf of the firm. (1 page maximum)

2. **Work Plan and Fees.** Describe in detail, and as discrete tasks, the proposed work program that will be developed to provide the required services in *Section 1.3. Required Services* within the timeline established in *Section 1.4. Schedule*. Include in your proposal a fee proposal (task hours and staff billing rates with inclusion of expected travel costs, project-related expenses and contingency) for each task. The County and Town are aware that supplemental nexus study is an undefined and potentially large task, based on the 2013 Employee Generation by Land Use (Nexus) Study provide an estimate or range of the work that may be needed and how it might affect the budget and schedule, final agreement on the scope of that work will occur later in the project. (10 pages maximum)
3. **Experience.** Provide specific and detailed examples of direct experience with housing requirements projects requiring nexus study, public determination of policy direction, legal review, and drafting of regulations. (5 pages maximum)
4. **Innovation.** Identify and describe in detail experience with a variety of approaches to housing requirements such as inclusionary zoning and mitigation requirements. Identify and describe in detail experience with other housing requirements that may be useful to the community (must be included in the proposed Work Plan).
5. **Personnel and Staffing Plan.** Identify and provide resumes for all personnel who will have responsibility for performing the approach to service provision. Indicate the level of effort each staff person shall have in providing each service. Indicate the organization of the proposed team, specifically identifying the proposed Project Manager. Explain how the team will be organized to ensure adequate communication and performance among the personnel/firms in the team arrangement. Provide a brief overview of the firm's qualifications to undertake this assignment. The County and Town are expressly interested in the firm's experience and qualifications of providing professional services for this specific project. Lengthy explanations of completed, yet unrelated, projects will not be considered. (10 pages maximum)
6. **References.** Provide a list of current and past clients for which your firm has performed work of a similar nature. For each reference, include a contact name, phone number and address. Briefly describe the work performed for each reference. Include a minimum of three references and no more than five.

3.2 Submittal Deadline

Each consultant shall submit one (1) printed copy of the complete submittal and one (1) electronic copy in a PDF-format. All submittals must be received by the Teton County Planning & Building Department by 4:00 P.M. MST, Tuesday, April 4, 2017. Submittals shall be valid for a period of forty-five (45) days from receipt by the County. Submittals received after the date and time specified above shall be disqualified from consideration. Late submittals shall be returned unopened. Qualifying submittals shall be opened on Tuesday, April 4, 2017 at 4:00 P.M. MST in the Teton County Planning & Building Department located at 200 South Willow Street, Jackson, Wyoming. The public is invited to attend.

Responses to this RFP should be submitted via Federal Express, United Parcel Service, or hand delivered to:

Alex Norton, Long-Range Planner
Teton County Planning & Building Department
200 South Willow Street, 2nd Floor
Jackson, WY 83001

All questions and requests for additional information shall be directed to Alex Norton, Long-Range Planner via e-mail only at anorton@tetonwyo.org.

3.3 Postponement or Amendment

The County and Town reserve the right to amend any portion of the RFP. Copies of such amendments shall be made available to all prospective, interested consultants via e-mail. Where such amendments require changes in the submittal requirements, the final date for submission may be extended.

3.4 Cost of Submittal Preparation

Any costs incurred by the consultant in responding to this RFP in anticipation of receiving a contract award shall be the responsibility of the Entity submitting the response. The County and Town shall not reimburse the Entity for any such expenses.

3.5 Schedule of Submission and Review

The Selection Committee, after its initial review and scoring, may elect to select a successful submittal. Conversely, the Selection Committee may elect to contact short-listed applicants to ask for final and best offers, pursuant to the Teton County procurement policy. After scoring all submittals (and all final and best offers, if applicable), the Selection Committee shall make a recommendation to the Board of County Commissioners and Town Council regarding the successful submittal. The Board of County Commissioners and Town Council will formally award the project and Teton County will enter into a contract with the consultant.

The County and Town intend to follow the schedule outlined below. However, the County and Town reserve the right to revise the review schedule at their sole discretion.

March 13, 2017: RFP available for review

April 4, 2017: Submittal due date

TBD: Recommendation by Selection Committee

TBD: Selection Committee Recommendation presented to Board of County Commissioners and Town Council

TBD: Contract Awarded by Board of County Commissioners

3.6 Acceptance

This RFP provides interested professionals with the necessary information to enable them to prepare and submit information for consideration by the County and Town.

The County and Town reserve the right to enter into further discussions with any consultant based solely on the initial response to this RFP along with the right to negotiate the cost with the selected consultant if it is deemed to be in the best interest of the County and Town.

If the County and Town is unable to negotiate a final scope of services and professional fee with their first choice, they reserve the right to negotiate with other consultants that submitted a response to this RFP.

SECTION FOUR: EVALUATION CRITERIA

The Selection Committee will evaluate the submittal content based on the following weights.

Criteria	Rating	Weight	Score
1. Submittal Format		1	
2. Work Plan and Schedule		10	
3. Fee Schedule		5	
4. Experience and Innovation		5	
5. Personnel and Staffing Plan		5	
Total Score			
Rating System: 10 – Excellent; 5 – Satisfactory; 0 – Unsatisfactory			