
REQUEST FOR PROPOSALS

NATURAL RESOURCES REQUIREMENTS

SPECIALIST

for

Natural Resources Land Development Regulations Update

for

TOWN OF JACKSON and TETON COUNTY, WYOMING



March 16, 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 technical services related to the update of the natural resources protection standards in the County and Town Land Development Regulations (LDRs). The purpose of the Natural Resources Requirements LDR Update is to align the requirements in the LDRs with the community's Natural Resources policies as stated in the Comprehensive Plan.

- Primary LDR Sections to be updated:
 - 5.1.1. Waterbody and Wetland Buffers
 - 5.1.2. Wildlife Friendly Fencing
 - 5.1.3. Wild Animal Feeding
 - 5.1.4. Air Quality
 - 5.1.5. Water Quality
 - 5.2.1. Natural Resources Overlay (NRO) Standards
 - 5.2.2. Bear Conflict Area Standards
 - 8.2.2. Environmental Analysis
- Comprehensive Plan Strategies implemented by Project:
 - 1.1.S.4: Evaluate and amend wildlife protection standards for development density, intensity, location, clustering, permeability and wildlife-human conflict.
 - 1.1.S.5: Evaluate mitigation standards for impacts to critical habitat and habitat connections and update as needed.
 - 1.1.S.6: Identify areas for appropriate ecological restoration efforts.
 - 1.2.S.1: Evaluate and update natural resource protection standards for waterbodies, wetlands and riparian areas.
 - 1.2.S.2: Evaluate and update surface water filtration standards, focusing on developed areas near important waterbodies.

1.2. Need

A consultant needs to have knowledge and experience in:

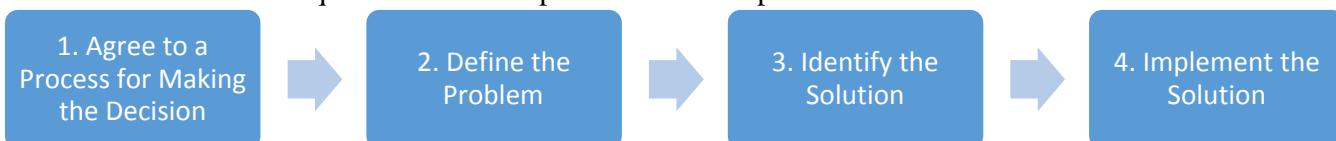
- Natural Resources protection standards
- Environmental analysis process
- Drafting land development ordinances or regulations

A consultant would benefit from knowledge of:

- Natural Resources requirements in communities of similar size and natural resources
- Wetland science and national regulations
- Stormwater treatment

1.3. Required Services

The Natural Resources 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 Agree to a Process

- No services

2. Phase 2 Defining the Problem

- Generate a list of high level policy questions that must be answered by the Board of County Commissioners to inform the natural resource LDRs. Implicit answers to policy questions represented by the current LDRs must be explicitly confirmed or modified.
- Drafting of materials for public workshops and/or online engagement to educate the public on the current natural resource LDRs and identify their issues with the current natural resource LDRs.
- Identification of the causes and policy questions underlying a community generated list of issues with the current natural resource LDRs and the Stakeholder Group generated analysis of the strengths, weaknesses, opportunities, and threats of the current LDRs' in implementing the Comprehensive Plan.

3. Phase 3 Identify the Solution

- Development of alternative approaches to the natural resource LDRs. Alternatives may be suggested by the Stakeholder Group, may be based on successful approaches in communities with similar natural resources, or may be innovative approaches that address Teton County's ecology.
- Drafting of materials for a public review of alternatives.

4. Phase 4 Implement the Solution

- Produce first draft of updated LDRs.
- May participate in production of additional drafts based on review.
- Produce a list of potential changes to the draft LDRs based on public input.
- Review and provide technical response to the list of potential changes to the draft LDRs.

1.4. Schedule

A specific schedule will be developed in coordination with the 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 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 shall have agreed to direction on each of the issues/problems. (Phase 3)
- By May 2018 the Board of County Commissioners 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. The decision map shows how each phase ends with a decision from the Board of County Commissioners, which is then the foundation for the work in the next phase.

| BCC/TC | | Staff | | Technical Consultant | | Stakeholder Group | | Public | | | | | | | |
|---|-------|--|--|----------------------|--|-------------------|--|--------|--|--|--|--|--|--|--|
| Phase | Roles | Desired Outcomes | | | | | | | | | | | | | |
| 1. Agree to a Process for Making the Decision | | <p>PHASE COMPLETE LOCALLY</p> <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 technical consultant • Appointment of the Stakeholder Group to be the primary content advisor for the project | | | | | | | | | | | | | |
| 2. Defining the Problem | | <ul style="list-style-type: none"> • A Strengths, Weaknesses, Opportunities, Threats analysis of the current LDRs' implementation of the Comp Plan • A list of the issues with the natural resource LDRs 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) | | | | | | | | | | | | | |
| 3. Identify the Solution | | <ul style="list-style-type: none"> • A list of alternative policy directions to answer the identified questions by the technical consultant and Stakeholder Group • An analysis of the alternatives by the technical consultant and Stakeholder Group • Public review of alternatives analysis ❖ Direction on which policies to implement through updated LDRs (Benchmark: Mid-December) | | | | | | | | | | | | | |
| 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 changes to the draft to better implement the direction • Adopted LDR Updates | | | | | | | | | | | | | |

Apr. Mar. Feb. Jan. Dec. Nov. Oct. Sep. Aug. Jul. Jun. May Apr. Mar. Feb.

1.5. Provided Resources

The project webpage can be found at:

- <http://www.tetonwyo.org/compp/topics/town-county-natural-resource-regulations-update/254534/>.

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

- Project Manager – the Teton County Principal Planner, Roby Hurley, will be the project manager.
- Public Engagement – A consultant, managed by the Long-range planning department will coordinate public outreach for the Natural Resources Requirements LDR Update as well as the Town Zoning Updates, Town Parking Study, Natural Resources 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 Stakeholder Group and Board of County Commissioners meetings as needed.
- Stakeholder Group- A Stakeholder Group will be the primary content advisor for the project and will represent various community interests and professions. In Phase 2, the Stakeholder Group will perform a strengths, weaknesses, opportunities, threats analysis of the current natural resource LDRs' implementation of the Comprehensive Plan. In Phase 3, the Stakeholder Group may suggest alternatives to be developed and will provide an alternatives analysis. In Phase 4, the Stakeholder Group will provide a review of the first draft prior to public release.
- 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
- Teton County Land Development Regulations
- Town of Jackson Land Development Regulations
- Teton County Vegetation and Non-Vegetation Cover Type Mapping
- Focal Species Habitat Mapping Project (will be available April 28, 2017)

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 Natural Resources policy. The Jackson/Teton County Comprehensive Plan, adopted in 2012, calls for an update to the County and Town Natural Resources requirements, which were adopted in 1994.

The Natural Resources 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
 - Principle 1.1 – Maintain healthy populations of all native species
 - Policy 1.1.a: Protect focal species habitat based on relative critical value
 - Policy 1.1.b: Protect wildlife from the impacts of development

- Policy 1.1.c: Design for wildlife permeability
- Policy 1.1.d: Limit human/wildlife conflicts
- Policy 1.1.f: Require mitigation of unavoidable impacts to habitat
- Policy 1.1.g: Encourage restoration of degraded areas
- Principle 1.2 – Preserve and enhance water and air quality
 - Policy 1.2.a: Buffer waterbodies, wetlands, and riparian areas from development
 - Policy 1.2.b: Require filtration of runoff
 - Policy 1.2.c: Monitor and maintain water quality
 - Policy 1.2.d: Improve air quality
- Vegetation Mapping, Focal Habitat Mapping, and Cumulative Impact Study
 - In 2013 Teton County mapped the vegetation cover of all private lands (and public lands within a certain distance of private lands).
 - In 2017 Teton County will complete a focal habitat mapping project that identifies the relative habitat value of 20 species/layers in the County.
 - In the future, the County will establish a monitoring system for assessing the impacts of growth and development on wildlife and natural resources so that it can implement actions in response to what is learned to provide better habitat and movement corridor protection.
- Relationship of Natural Resources Requirements with other LDR Updates
 - The natural resource protections in the LDRs are applicable in all zones. They are an independent set of standards that can be updated independently from other standards of a zone.
 - However, the Environmental Analysis and location of development requirements in the natural resource LDRs affect a landowner's ability to achieve other allowances, incentives, and requirements.
 - The Natural Resource LDR Updates is one of 5 projects currently being initiated that will have coordinated public engagement. A Public Engagement Coordinator should be selected by early April to lead that coordination. See below for an initial comprehensive schedule for all five update projects.

| 2017 | | | | | | | | | | | | | | | 2018 | | | | |
|---------------------|------|--------------|-------------|-------------|---------------------------|---------------------------------------|------------|------------|--|------------------------|------------------------------------|--------------------|--------------------------------------|--------------------------------------|-------------------------|-------------------------------------|-----|------|--|
| | Jan. | Feb. | Mar. | Apr. | May | Jun. | Jul. | Aug. | Sep. | Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | Apr. | May | Jun. | |
| Town Zoning | | | Feb. Wksp | Mar. 20 Mtg | | | | | | | | | Draft LDRs in Jan. | Public + PC Review by Mar. | Direction by end Mar. | 1 st Reading May 15 Mtg. | | | |
| Parking Study | | Dec. JIM | Feb. JIM | | | Coordinated Public Forum in Early May | | Jun. 5 Mtg | Coordinated Analysis of Alternatives | | Coordinated Direction at Oct. Mtg. | | LDR Adoption Coordinated with Zoning | | | Non LDR Implementation | | | |
| Housing LDRs | | | Feb. JIM | | | | | | Nexus Study Update and Public Review | | Direction at Nov. JIM | | Draft LDRs in Jan. | Public + PC Direction Review by Mar. | Direction by end Mar. | Adoption at May JIM | | | |
| Housing Dept. Rules | | | | | | Jun. JIM | | | | | | | | | | | | | |
| Natural Res. LDRs | | Feb. 21 Mtg. | Mar. 21 Mtg | | Public Forum in Early May | | Jun. 6 BCC | | Stakeholder/Expert Alternatives Analysis | Direction at Oct. Mtg. | | Draft LDRs in Jan. | Public + PC Review by Mar. | Direction by end Mar. | Adoption at May 16 Mtg. | | | | |

2.2. Project Stakeholders

The Natural Resources 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 natural resources requirements. They are responsible for balancing natural resource protections with property rights fairly and predictably.
 - ***The County Planning Commissions*** will review and make a recommendation on the updated natural resources 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 Natural Resources Requirement LDRs
 - ***Environmental Consultants*** are heavily relied upon by the current natural resource LDRs to identify protected resources and evaluate the impacts of development. Changes to the system will impact how they do their work in Teton County.
 - ***Developers*** are impacted by the required process and location of development standards in the current LDRs. They are likely interested in more procedural predictability, but also interested in more flexibility in how the standards apply to development on a specific site.
 - ***A Homeowner***, like a developer, is affected by the process and the standards, but likely has fewer resources and less experience than a developer understanding development review process. Increased predictability will help a homebuilder navigate the process, but a homebuilder will also want flexibility to realize their dream home on their expensive Teton County property.
 - ***A Neighbor*** may have experience with the current natural resource LDRs and want the development or building being built next door to have the same standards applied to it. Other neighbors might be affected by natural resource LDRs that push development closer to them, for example, forcing a clustering of impact that they do not want. Other neighbors might advocate for natural resource LDRs that would prevent any development nearby.
 - ***Agriculture*** is currently exempt from many natural resource LDRs. Change to these exemptions will affect the ability for continued agriculture in the community.
 - ***Planning Staff*** is tasked with implementing the natural resource LDRs. Staff 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.
- Stakeholders with Indirect Interest in the Natural Resources Requirement LDRs
 - ***The Ecological Sciences Community*** has been involved in the vegetation mapping and focal species habitat mapping that will inform the natural resources update, through the work of the NRTAB. They will be interested in how that information transforms into policy.
 - ***The Teton Conservation District*** is primarily interested in water quality and how their duties and the LDRs can be coordinated.
 - ***Wyoming Game & Fish*** is primarily interested in how our wildlife habitat protections coordinate with their wildlife management duties.
 - ***Conservation Advocates*** will be interested how these regulations limit impact to habitat and will likely advocate for the most conservative approach to considering development in areas that might have natural resources.
 - ***Wildlife Advocates*** will likely advocate for the most conservative approach to considering development in areas that might provide habitat.

- **Property Rights Advocates** will be interested in limiting the burden from procedural requirements and natural resource protection standards.

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. (10 pages maximum)
3. **Experience.** Provide specific and detailed examples of direct experience with waterbody, wetland, and natural resources requirements, wildlife habitat protection requirements, 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 natural resources requirements such as habitat protection, restoration, and mitigation requirements. Identify and describe in detail experience with other natural resources 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 email 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 3:00 P.M. MDT, Wednesday, April 5, 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 Wednesday, April 5, 2017 at 3:00 P.M. MDT 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:

Roby Hurley, Principal 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 Roby Hurley, Principal Planner via e-mail only at rthurley@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. After scoring all submittals, 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 16, 2017: RFP available for review

April 5, 2017: Submittal due date

TBD, 2017: Recommendation by Selection Committee

TBD, 2017: Selection Committee Recommendation presented to Board of County Commissioners and Town Council

TBD, 2017: 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 | | | |