

**UPPER MACUNGIE TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA**

**Request for Proposal
FOR
Zoning Ordinance, SALDO, and
Official Map Consultant**

RFP #2022-01

March 4, 2022



**UPPER
MACUNGIE
TOWNSHIP**

**Submission Deadline:
Monday, April 4, 2022 – 3:00 p.m.**

Contact:

Robert Ibach, Jr.
Township Manager
8330 Schantz Road
Breinigsville, PA 18031
E-Mail: ribach@uppermac.org

I. PURPOSE AND INTENT

Through this Request for Proposal (RFP), the Township of Upper Macungie (hereinafter “Township”) seeks proposals from qualified consultants to provide professional services to develop an up-to-date Zoning Ordinance, Subdivision and Land Development Ordinance (SALDO), and create an Official Map, guided by the recently completed implementable 2019 Upper Macungie Township Comprehensive Plan, *A Plan for Growth Management and Preservation*, form-based zoning concepts, and planning principles on current land use trends and development. The Ordinances and Map will be drafted in such a way as to help create the future vision (Vision 2040) of the Township that is set forth by the Comprehensive Plan. The consultant to be hired will provide the full range of planning services necessary to undertake a comprehensive review and provide updates to the current Zoning Ordinance, the SALDO, and the creation of an Official Map. The Township’s current ordinances have been updated from time to time and range in date from the 1960’s to present day, with a “repeal and replace” of the Zoning Ordinance last occurring in 1994.

The intention of the Township is to hire the highest qualified consultant who can best demonstrate a clear understanding of the goals of the community. While the price of the proposal shall be a consideration, it shall not be the sole consideration by the Upper Macungie Township Board of Supervisors when selecting a consultant.

II. PROPOSAL SUBMISSION

The proposal must be received no later than **3:00 PM on Monday, April 4, 2022 at the Upper Macungie Township Municipal Building**, at which time they will be publicly open and read.

Responding firms shall submit five (5) hard copies and one electronic copy (PDF) of the proposal in sealed envelopes marked “Upper Macungie Township Zoning Ordinance RFP” and addressed to:

**Township of Upper Macungie
Attn: Robert Ibach, Township Manager
8330 Schantz Road
Breinigsville, PA 18031**

All parties are bound by the deadline and location requirements of this RFP. Incomplete submissions will not be accepted.

All proposals shall remain effective, subject to the Township’s review and approval, for a period of ninety (90) days from the deadline of submitting proposals. Proposals will be handled confidentially during the pre-award process.

All documents / information submitted in response to this solicitation may be available to the general public following award. The Township will not be responsible for any costs associated with the oral or written presentation of the proposals. The Township reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Township further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all firms submitting proposals. The Township reserves the right to re-solicit proposals.

III. REQUEST FOR INFORMATION

All inquiries concerning this RFP must be submitted in writing to Robert Ibach, Township Manager via email at ribach@uppermac.org no later than Monday, March 28, 2022 at 3:00 p.m.

No verbal instructions or verbal information to interested parties will be binding on the Township. The written specifications will be considered clear and complete unless written attention is called to any apparent discrepancies or incompleteness before the opening of the proposals. Should any alterations to the specifications be made, written addenda will be mailed and/or e-mailed to all interested parties. These addenda shall be considered to be part of these specifications.

IV. GENERAL INFORMATION REGARDING THE TOWNSHIP OF UPPER MACUNGIE

Upper Macungie Township is located in western Lehigh County, Pennsylvania approximately fifty miles north of Philadelphia and, based on the 2020 Census data, had the fourth highest population increase by number in the Commonwealth of Pennsylvania over the previous decade. The Township shares its borders with the townships of North and South Whitehall, Lower Macungie, Weisenberg, Lowhill, and Berks County to the west. The Township operates under the Pennsylvania Second Class Township Code form of government with a three (3) member Township Board of Supervisors and a Township Manager.

The Township has an area of approximately 26.3 square miles, has approximately 133 miles of Township-owned roads, approximately 48 miles of state-owned roads, approximately 3,000 feet of improved trails, contains approximately 860 commercial buildings, three wineries, a residential population of approximately 26,000, a 2022 multiple fund budget of \$39.5 million, and a workforce of 75 full-time employees and 22 part-time employees. The Township has a full-time Police Department, Community Development, and Public Works Department, and fire protection services are provided by three (3) volunteer companies. Potable Water is provided by the Lehigh County Authority and Sanitary Sewerage services are provided by the Lehigh County Authority and Upper Macungie Township with some properties serviced by on-lot septic systems. The Township Board of Supervisors meets the first Thursday of each month for their regular public meeting.

The Township is located by the intersections of major highways (Interstate 78, Route 22, Pennsylvania Turnpike 476 and Route 222), which has contributed significantly to our growth. It is in the interest of the Township to guide this growth, but in a way that is consistent with sustainable smart growth concepts.

A recent influx of age-qualified housing, apartment buildings, and townhouses has dominated residential development. There are currently 15 approved residential developments in various stages of construction totaling 1,216 dwelling units, with 697 remaining to construct. On the commercial development side, there are currently 12 projects either approved or under construction, including the new Global Headquarters for Air Products & Chemicals, a Keurig Dr. Pepper bottling facility, expansion of Uline’s largest Distribution Center, and a proposed 186,000 square foot Township Community Center.

Additionally, the Township enjoys a steady volume of Commercial and Residential building construction subject to UCC requirements. The chart below provides a summary of our development data:

	2018	2019	2020	2021
Building Permits	562	1,175	731	769
Zoning Permits	224	261	387	354
New Structure Permits	218	221	127	497
Total Permits:	1,218	1,812	1,466	1,487

Upper Macungie Township is a proud, spirited community determined to maintain core values that have persisted for generations while being equally excited for new ideas, proper development, and redevelopment, and ensuring strong neighborhoods throughout the Township in the future.

V. FORMAT OF PROPOSALS

Submissions shall be made in the following format:

1. **Letter of Transmittal**
2. **Executive Summary**
3. **Consultant Firm's Experience**, including ordinance writing experience and knowledge of Federal, State, and local code regulations
4. **Key Personnel** to be utilized on this project and their expertise in land use and developing ordinances. (Provide key personnel resumes as an Appendix at the end of the proposal).
5. **Narrative** addressing the Consultant's understanding of the scope of service / activities to be provided.
6. **Timeline**
7. **Technical and price proposal** of services to be included, including but not limited to estimated time per activity, wages, travel, copies, etc.
8. **Certificate of Insurance** detailing the amounts of all insurance coverages

Further details can be found in **Proposal Submission Requirements Section**.

VI. CURRENT STATUS OF ZONING ORDINANCE AND OFFICIAL MAP

The existing Ordinance shall be used as a basis for the review and update of the new Zoning Ordinance; however, it can be ambiguous, outdated in sections, and seemingly incomplete in terms of definitions and meanings, leaving too much room for interpretation and conflict. It is a very large document and is often difficult for residents and developers to interpret. It is not user friendly and lacks consistent graphics to improve readability. There is also great reliance on Appendixes, Appendices, and Tables to describe zoning requirements. Additionally, the Zoning Map may not be congruent with the goals of long-term development and redevelopment goals of the Township. The Township Supervisors, Planning Commission, Zoning Hearing Board members, Township Staff, and residents have discussed making changes related to numerous areas of the Ordinance. Changes should be reflective of recent suggestions and should be consistent with the Township's recently completed Comprehensive Plan.

The Township does NOT have an Official Map. The Official Map would be a new creation and document for the Township. The development of an Official Map shall be an OPTION in this proposal.

VII. SCOPE OF SERVICES

With assistance from Township Staff, Planning Commission, Township Solicitor, Zoning Hearing Board Solicitor, and Township Supervisors, the selected consultant will conduct a public process to develop updated Ordinances for Upper Macungie Township. It is anticipated that the consultant will work with the Township to make updates that take into consideration the Township's characteristics of residential, commercial, industrial, farmland, and open space. Unique features of the community such as traffic patterns, pedestrian and recreational amenities, and design standards shall be taken into consideration when crafting a proposal.

The final work program will be developed in conjunction with the Township Staff, Professional Staff, and the Planning Commission, but the scope of work should include the following:

1. **Current Zoning Ordinance Diagnosis:** The consultant will work closely with Township Staff and the Planning Commission Representatives in producing a diagnosis of the existing code.

2. Review of Comprehensive Plan: The consultant will review and identify Plan Goals, Objectives and Recommendations to ensure the new code will be consistent with recent planning documents approved in the Township's Comprehensive Plan.
3. Public Outreach: The consultant will develop a public outreach strategy designed to inform community stakeholders. This will include meetings with Township Supervisors and the Planning Commission in order for the consultant to understand the direction of the community.
4. Evaluation of Existing Neighborhoods, Corridors, Overlays and Zoning Districts: The Township contains many unique areas that will warrant context-sensitive regulations. Staff will work with the consultant to identify these areas.
5. Drafting the Document: The consultant will prepare drafts of the Zoning Ordinance and SALDO, including graphics, for review by Staff, Planning Commission, and Township Supervisors culminating in final versions to be acted upon by the Township Supervisors.

The consultant will provide for the planning services necessary for the complete review and update of the Zoning Ordinance and SALDO, and the creation of an Official Map for the Township. The following sections describe the scope of work specific deliverables. The consultant may submit suggestions on how the scope of work can be enhanced and/or amended, plus additional details of approach, methods, etc. for carrying out the project.

1. Implementation of the Township's Comprehensive Plan; Parks, Recreation, and Open Space Plan; and Trail Connectivity and Walkability Plan Study.
 - a. The Township Vision Plan (Vision 2040, Chapter 1) addresses numerous key features of the Comprehensive Plan. The goal of the plan is to take key concepts of the Comprehensive Plan and help create a vision for the community to implement those concepts.
 - b. The Township is currently engaged in a Trail Connectivity and Walkability Plan Study; the consultant shall coordinate with the study and shall take the study's recommendations into consideration throughout the process.
2. The Zoning Ordinance
 - a. The guiding document for the Township is our 2019 Comprehensive Plan. The Zoning Ordinance is the backbone of achieving the goals set forth in this Plan. The consultant's work for the Zoning Ordinance will consist of a review and recommending any suggested changes to our Zoning Map that is consistent with the Comprehensive Plan's future land use map. Overlay districts and design standards should also be included as part of the consulting process and may also be required to achieve these goals. This will include a comprehensive review of permitted uses in each district, definition updates, parking requirements, building coverage allowances, etc. The consultant will also help anticipate and address emerging trends in the sharing economy that has become prevalent in recent years.
 - b. As an Option, the consultant shall include the process of creating an Official Map for the Township. This map will contain open space, preserved farmland, trails & connections, roadways and future parks and recreation areas.
3. The Subdivision and Land Development Ordinance (SALDO)
 - a. The SALDO is the ordinance that will create the environment envisioned by the Township's Comprehensive Plan. The consultant will review and provide updates to the existing SALDO that is consistent with the Comprehensive Plan. This will require updating design

standards, improvement requirements, housing requirements, etc. The new SALDO will also examine subdivision development such as cluster or conservation subdivisions. There will be an emphasis on providing for sustainable and green development, since stormwater management is a key challenge in the community, and the community has a very important and vibrant park system. The SALDO will also encourage the adaptation and reuse of abandoned and/or underutilized commercial and industrial properties by providing flexibility for adaptive redevelopment.

- b. It is the intention of the Township that the Zoning Ordinance and the SALDO shall be written in a clear and concise manner that shall be easily interpreted in plain language.

4. Official Map

- a. As an OPTION, the consultant shall include the process of creating an Official Map for the Township. This map will contain open space, preserved farmland, trails & connections, roadways, and future parks and recreation areas. The cost to develop an Official Map should be itemized separately from all other work associated with this RFP.

5. Minimum MPC Requirements Shall Be Met

- a. Act 247 of 1968, as amended, the Pennsylvania Municipalities Planning Code (MPC), is the enabling legislation in Pennsylvania. Both the Zoning Ordinance and the SALDO have distinct and separate requirements under the MPC to be legally binding ordinances. These requirements must be adhered to. Although the Zoning Ordinance and SALDO are complementary land use regulations, the two ordinances are to be separate, stand-alone Ordinances and not intertwined.

6. Specific Areas that Should Be Given Attention During the Process

Definitions

Definitions should be examined for meeting current standards, case law, and include missing terms with their definition.

Zoning Hearing Board, Nonconforming Uses, Amendments, and Administration

These articles will be reviewed and updated as needed for consistency with current MPC provisions. The articles will also be reviewed for completeness of regulations as well as clarity of application to ensure they reflect the actual administrative procedures. There should be consideration given to consolidating these articles at the end of the updated ordinance.

General Organization and Format

New provisions will be suggested for consideration as appropriate.

Commercial and Industrial Re-Development

This article shall include the use of overlay (current and future) districts and adaptive reuse ordinances.

Environmental Resource Protection

This article will be updated to reflect current recommended standards for wetlands, hydric soils, steep slopes, riparian buffers, and woodland/tree protection standards. Any proposed changes to the floodplain or wetlands area are subject to review to PEMA and FEMA, and the associated costs shall be included in the proposal.

“Last Mile” Delivery Centers

A definition and fit for this use should be developed.

Noise Ordinance

The current ordinance is from 1994 and should be reviewed to current standards.

Historic Resources Preservation General Provisions

The consultant will examine the need to address historic preservation in the Zoning Ordinance and will provide recommendations as necessary to reflect current recommended standards for preservation of historic resources.

Supplemental Use Regulations

Consideration should be given to developing a specific Supplemental Use Regulations article, which could consolidate provisions for uses that require the application of specific standards (e.g., wireless facilities, alternative energy sources, residential conversions, senior housing/continuing care, etc.) Any existing supplemental use standards will be reviewed and updated to reflect current planning practices. Uses currently not addressed in the ordinance may be added.

Fees

All fees listed in the ordinances should be removed and replaced with a reference to the Township Fee Schedule. A list of fees removed shall be kept and incorporated into the current fee schedule.

VIII. PROJECT COORDINATION

Throughout the project, coordination will be maintained between the Township and the consultant.

The consultant's approach and method must include, at a minimum:

1. Initial meeting with the Planning Commission and Township Staff to review the project.
2. Three (3) meetings with the Township Planning Commission.
3. At least one meeting with representatives of the Lehigh Valley Planning Commission.
4. At least one meeting with each of both the Zoning Hearing Board Solicitor as well as the Township Solicitor.
5. Obtain the input of the public through two (2) public informational workshops.
6. At a minimum, monthly project review meetings / conference calls with key Township Staff.
7. Prepare and present draft and final Ordinances and Maps.
8. Present the final Ordinances to the public and the Township Planning Commission and participate in the required public hearings and meetings in accordance with the MPC to formally present the plan for approval and adoption if necessary.

IX. DELIVERABLES

The consultant shall submit the following products to the Township in accordance with the approved Project Completion Schedule:

1. Twenty (20) bound copies of the final Ordinances.
2. One (1) Complete Electronic Copy of the final Ordinances in an unprotected Microsoft Word format.
3. One (1) Executive Summary in Electronic Format summarizing the significant recommended changes.
4. If needed, a GIS shapefile of a proposed updated Zoning Map.
5. If approved as part of the proposal, a GIS shapefile of a proposed Official Map.

6. The consultant shall submit electronic copies of all materials, research, data, GIS shapefiles, etc. developed or collected over the course of the Ordinances' development to the Township in editable formats for the Township's future use.

X. PROPOSAL SUBMISSION REQUIREMENTS

The proposal must include the following information:

1. **Letter of Transmittal** including:
 - a. The consulting firm's name, mailing address, and nearest office location;
 - b. Identification of the contact person for the consulting firm, including all contact information;
 - c. A statement that the proposal is in response to Request for Proposal for Zoning Ordinance, SALDO, and Official Map Consultant.

2. **Consultant Firm's Experience**

The Township seeks a consultant that has demonstrated capabilities in developing Zoning Ordinances, SALDOs, and Official Maps, incorporating the goals of a Comprehensive Plan into the aforementioned Ordinances.

Responses to the RFP must include the full range of skills and experience necessary to perform the work that is outlined in the Scope of Services. To best express their qualifications for the project, the consulting firm should provide:

- a. A brief history of the consulting firm, no longer than one (1) page in length;
- b. A narrative explaining the firm's approach to the project;
- c. Any consultant suggestions for how the scope of work can be enhanced, plus additional details of approach, methods, etc. for carrying out the prescribed work;
- d. Proposed work schedule;
- e. Examples of recent work that are similar in nature;
- f. At least three (3) references with contact information for recent and relevant work. Consultant(s) should specify his / her / their role(s) in each of these projects, the type of work he / she / they performed, and results of the created ordinances.

3. **Key Personnel**

- a. Personnel assignments and individual work experience;
- b. The anticipated roles of all personnel assigned to this project;
- c. Resumes of the personnel assigned to this project, including any sub-consultants, attached as an Appendix at the end of the proposal.

4. **Timeline**

The proposal shall include a project completion schedule / timeline that provides anticipated dates of completion for each step of the planning process. The Township anticipates that the project will take approximately ten (10) to twelve (12) months to complete.

5. **Technical and Price Proposal**

The proposal shall consist of a technical proposal and a price proposal which shall be valid for up to ninety (90) days from the due date. The technical proposal shall include a work program in a format that is acceptable for use as the final Scope of Services in the contract between the Township and the consultant.

The price proposal shall include a detailed cost estimate of each of the tasks defined in the scope of services. Project cost estimates should include the number of hours, hourly rates for principals, project managers, and other personnel assigned to each task. The consultant's bid must also include any related expenses, such as travel. The price proposal shall include separate proposals for the Zoning Ordinance, SALDO, and Official Map, as the Township may select to complete all, some, or none of the project. At the end of each itemized section, the consultant shall include the bulk cost to complete that section of their bid.

The consultant shall submit a primary price proposal / bid for the Zoning Ordinance and Map as described in the requirements of this RFP. The consultant shall also include as an Option, an Official Map.

The consultant may submit suggestions on how the scope of work can be enhanced and/or amended, plus additional details of approach, methods, etc. for carrying out the project.

XI. INTERVIEWS

The Township intends to interview the three (3) highest ranking proposals based upon the selection committee's ranking of applicants submitting the proposal. Even with interviews, the proposal should be comprehensive and complete on its face. The Township reserves the right to request clarifying information subsequent to submission of the proposal.

XII. SELECTION CRITERIA

The Township will evaluate the proposals, and will select a consultant based on the following criteria, among others:

- Understanding the Scope of Services and objectives of the project;
- Creativity and innovation in techniques and ideas;
- The relevant qualifications and recent experience of the consultant(s) in preparing land use ordinances and meeting objectives of the Comprehensive Plan;
- Qualifications and experience of the consultant and assigned personnel;
- Suggestions submitted to enhance and / or amend the scope of work and additional details of the approach and methods to carry out the project;
- Proposals will be competitively judged on the quality and value of the proposed work approach, products, etc., and the proposed budget;
- Ability to carry out and manage the project, and to meet the expected project timeline / completion schedule.

XIII. PROPOSED DECISION TIMELINE

- April 4, 2022 – 3:00 PM: Due date and opening of proposals
- Week of May 2, 2022: Selected firms shall be contacted by Township Manager's office to set up interviews.
- Interviews: Week of May 7, 2022 – Interviews shall be conducted by the selection committee.
- June 2, 2022: Board of Supervisor's General Business Meeting – Township Supervisors selects the firm.