

**Request for Proposal
Harbor Area Architectural Design Standards
Town of Cape Charles
April 16, 2007**

PROJECT DESCRIPTION

The Town of Cape Charles is seeking professional services to develop architectural design standards for the waterfront areas surrounding and near the Cape Charles Harbor (see Attachments 2-4 for maps of the study area). The intent is to establish design standards to guide public and private improvements. In particular, there is a desire to establish an attractive image which is compatible with the adjacent historic downtown and the existing buildings in the study area. The design standards will also be used by an architectural review board when reviewing construction near the harbor.

BACKGROUND

The Town of Cape Charles is located in Northampton County on Virginia's Eastern Shore. The Town is situated on a small peninsula, bordered by the Chesapeake Bay to the west, King's Creek to the north and Old Plantation Creek to the southeast. With a land area of 2,817 acres and a population of approximately 1,200 residents, Cape Charles is the largest of Northampton's five incorporated towns in land size and the second largest in population.

The Town was created in 1884 as a planned community at the southern terminus of what is now the Bay Coast Railroad. The original Town consisted of 136 acres divided into 644 equal lots. Seven east-west avenues were named for Virginia statesmen; the north-south streets were named for fruits. Today, the old Town has one of the best collections of historic buildings of any community on the Eastern Shore.

An architectural survey of the Town led to the listing of the Cape Charles National Register Historic District in 1989. In 1997, the Town adopted a Historic Preservation Plan and in 2001 adopted Historic District Guidelines. A Historic District Review Board administers the guidelines and oversees new construction and renovations in the Town's Historic District.

The Town annexed 2,191 acres of land from Northampton County in 1992, increasing its land area 350%. Two large tracts of land, consisting of 1,750 acres which surround the original Town settlement, are currently being developed. The developer has completed two golf courses and is about 10% complete on a plan to build 3,000 new homes. The development also includes a marina and village commercial areas.

As Cape Charles grows, the Town faces numerous challenges relating to community character and the integration of the historic residential and commercial areas and the new large-scale development on the Town's periphery into a cohesive community. The Town

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seeks to preserve its historic character while growing to meet the modern needs of its citizens.

Further information on Cape Charles may be found at www.capecharles.org

RELATED PROJECTS

1. Harbor Master Plan and Design Guidelines

In 2006, the Town completed a Harbor Area Conceptual Master Plan and Design Guidelines to establish a basic urban design framework for the harbor area. The purpose of this project was twofold:

1. To develop general design guidelines and principles that could be incorporated in the Comprehensive Plan to serve as a guide for creating a visually cohesive and harmonious district whose built form is compatible with the goals of the Town.
2. To use these design guidelines and principles in the development of a master land use plan and descriptive vision for the area that would be adopted as part of the Town's Comprehensive Plan update.

2. Comprehensive Plan Update

In 2007, the Town is completing an update of the Land Use, Community Design and Implementation chapter of its Comprehensive Plan. As part of the update, a comprehensive set of policies is being adopted for the harbor area and surrounding districts that reinforces the land use and community design principles of the Harbor Area Conceptual Master Plan and Design Guidelines. One of the key implementation priorities of this update is to develop a set of detailed design controls for the harbor area to provide a more specific set of standards to guide the physical form of new development in the area over the coming years.

SCOPE OF WORK

The consultant is to undertake the following tasks:

1. Review Background Data and Inventory Architectural Patterns

Conduct a twofold inventory of the existing context for the Harbor Area Architectural Design Standards consisting of the following:

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1. A survey of all relevant background data and documentation, including the Historic District Guidelines, the Harbor Area Conceptual Master Plan and Design Guidelines, the Comprehensive Plan Update, the existing Zoning Ordinance, and any other pertinent documents.
2. A summary of the predominant urban form and architectural patterns in the Town, including its historic development, its stylistic architectural patterns, building materials, forms, massing and general site planning and building placements.

2. Public Participation

Conduct up to 3 public workshops on the Harbor Area Architectural Design Standards to solicit public input throughout the process of developing the draft and final standards. The workshops should be dynamic, interactive sessions that would engage the citizens in planning exercises in small groups, and should be summarized for inclusion in the public record.

3. Prepare Harbor Area Architectural Design Standards

Prepare a detailed manual of Harbor Area Architectural Design Standards that incorporates the background information and survey of architectural patterns to develop detailed standards for elements such as:

- A. Circulation and streetscape
- B. Building orientation and sitting
- C. Overall building form and massing
- D. Building additions
- E. Roofs
- F. Building fenestration (door and window openings)
- G. Porches and building projections
- H. Building materials
- I. Landscaping and open space
- J. Lighting
- K. Signage
- L. Restoration of historic buildings

The manual should be richly illustrated, including both detailed diagrams to explain the application of the standards, and photo or graphic examples of compatible development types that show how the standards are applied to real buildings.

The standards should be fully integrated and coordinated with the Zoning Ordinance and Comprehensive Plan in order to support the Town's current policies and ordinances. The manual will be incorporated into a review process (such as accompanies the establishment of a local historic district). A section is to be included that outlines the review process for the application of the standards for private development.

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REQUIRED PRODUCTS

The final document of the Harbor Area Architectural Design Standards will be delivered to the Town in both paper and electronic files. The documents will become the property of the Town for inclusion as appropriate in the Town's land use policy documents and development regulations. The electronic files will be in formats editable by Town software.

REQUIRED EXPERIENCE

1. Experience in developing architectural design standards
2. Knowledge and understanding of the principles and process involved in implementing a community participatory design strategy
3. Experience in downtown revitalization
4. Experience in waterfront planning and design
5. Knowledge of the relationship between design guidelines and land use regulations
6. Knowledge of the development review process and the needs of private developers
7. Experience working in a small town environment

PROJECT SCHEDULE

The project is to be completed within six months of the assignment of the work. Scheduling of phases will be coordinated between the Town and the consultant.

PROJECT BUDGET

The project has a maximum budget appropriation including fees, reimbursements, travel expenses and taxes in the range of \$30,000 to \$40,000. Actual payment will be made on approved billed hours, which may not exceed an amount agreed upon before the project begins.

EVALUATION OF PROPOSALS

Proposals will be evaluated based on, but not necessarily limited to, the following criteria:

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Criterion	Description	Weight
Proposal Quality	<ul style="list-style-type: none"> • Evidence of understanding the scope of the project and its goals • Clarity and organization of the work plan and methodology • Completeness of the submission and presentation 	33.3%
Project Management	<ul style="list-style-type: none"> • Ability to meet schedules • Availability for meetings with staff • Previous experience in management of similar projects 	33.3%
Capability/Experience of the Consulting Team	<ul style="list-style-type: none"> • Evidence of knowledge of the subject matter • Staff qualifications and experience • Balance of disciplines appropriate to the work being undertaken 	33.3%
Total		100%

PROJECT MANAGEMENT

On a day to day basis, the Town Planner will coordinate the flow of information between the Town and the consultant and handle requests for information, data, and meetings. The Town Planner will provide support to the consultant with notices and scheduling of meetings, facilitation of meetings, and preparation of summary minutes of meetings, and research and GIS map preparation. The Town Planner can provide additional assistance as necessary, hopefully reducing project cost. Invoices and change orders will also be directed through the Town Planner.

Jason Pruitt, the Town Planner, can be contacted as follows:

Jason Pruitt
Town Planner
Town of Cape Charles
2 Plum Street
Cape Charles, Virginia 23310
(757) 331-3259 x 15
planner@capecharles.org

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REQUIREMENTS FOR PROPOSALS

All proposals must be received in an appropriately marked and sealed envelope in the Cape Charles Municipal Building, 2 Plum Street, Cape Charles, Virginia, 23310. Submissions are to be submitted to the Purchasing Agent by 4:00 pm on Tuesday, May 1, 2007.

A pre-bid meeting will be held on April 19, 2007 at 1:00pm at 2 Plum Street, Cape Charles, VA 23310. The purpose of the meeting will be to answer questions from potential respondents.

Each proposal shall be signed by an official authorized to bind the consultant and shall contain a statement that the proposal is firm for one hundred twenty (120) days immediately following the date of submission of the sealed proposals. At the end of the 120 day period, the proposal may be withdrawn at the written request of the consultant. If the proposal is not withdrawn, it will remain in effect until an award is made or the solicitation is cancelled.

Proposals should be prepared simply and economically, providing a straightforward, concise delineation of the capabilities of their offering. Each proposal is to contain:

1. The name of every company bearing an interest in the proposed services.
2. The name, title, address, and telephone number of individuals with authority to contractually bind the consultant.
3. A designated person who can be contacted for information during the period of evaluation and for prompt contract administration upon award of the contract. This information shall include the person's name, title, address, and telephone number.
4. A brief description of a work program, including methods of analysis and any suggested deviations from the Scope of Work set out in this Request for Proposals.
5. A schedule of work for the major study tasks.
6. A description of the background, related experience, and resumes of each of the members of the Project Team, including information about the professional licenses held by each consultant who will work on the project (maximum of 4 pages per team member).
7. A staff time allocation plan for each task of the study.
8. The names of former clients for whom similar or relevant work has been done and who may be approached for references.

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AWARD

The Town intends to award a contract as soon as practical after receipt of proposals.

The award of a contract shall be at the sole discretion of the Town. Award will be made to the consultant whose proposal is determined to be most advantageous to the Town, taking into consideration the evaluation factors set forth herein. The Town reserves the right to accept or reject any or all proposals in whole or in part and to waive informalities in the process. The Town further reserves the right to make an award of contract without further discussion of the proposals submitted. Therefore, the proposal should be submitted initially on the most favorable terms which the consultant can propose with respect to both price and technical capability. The contents of the proposal of the selected consultant will become a contractual obligation when the award is made.

Proposals will be initially evaluated on the basis of the written material provided, with clarification as needed through telephone calls to consultants. Based on this initial evaluation, the Town may select consultants whose services most closely meet the Town's needs to make an oral presentation.

DISPOSITION OF PROPOSALS

All materials submitted in response to this RFP will become the property of the Town of Cape Charles. One (1) copy of each proposal shall be retained for official files and will become a public record after the award and open to public inspection. It is understood that the proposal will become part of the official file on this matter without obligation on the part of the Town except as to the disclosure restrictions contained in "DISCLOSURE" below.

DISCLOSURE

In compliance with the Code of Virginia Section 33.1-9, trade secrets or proprietary information submitted by a consultant in connection with a procurement shall not be subject to public disclosure under the Virginia Freedom of Information Act; however, the consultant must invoke the protection of this section prior to or upon submission of the data or other materials, and must identify the specific area or scope of data or other materials to be protected and state the reasons why protection is necessary. An all-inclusive statement that the entire proposal is proprietary is unacceptable and will be disregarded. A statement that costs are to be protected is unacceptable and will not be honored.

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COST INCURRED IN RESPONDING

This solicitation does not commit the Town of Cape Charles to pay any costs incurred in the preparation and submission of proposals or in making necessary studies or designs for the preparation thereof, not to procure or contract for services.

PRIME CONSULTANT RESPONSIBILITIES

Consultants may propose services that are provided by others, but any services proposed must meet all requirements of this RFP.

If a proposal includes services provided by others, the consultant will be required to act as the prime contact for all such items and must assume full responsibility for the procurement, delivery and quality of such services. The consultant will be considered the sole point of contact with regard to all stipulations, including payment of all charges and the meeting of all requirements of this RFP.

ANTI-COLLUSION STATEMENT

Collusion or restraint of free competition, direct or indirect, is prohibited. Offers are required to execute and submit the anti-collusion statement. See Attachment 1.

NONDISCRIMINATION

The consultant must agree to adhere to the nondiscrimination requirements set forth in Section 54-15 of the Town Code, which will be incorporated into any contract awarded. Section 54-15 states the following:

“Town Code Section 54-15. Antidiscrimination provisions required in certain contracts

In every contract over \$10,000, the contractor must agree not to discriminate on the basis of race, religion, color, sex or national origin, except where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operations of the contractor. The contractor must also agree to include a similar provision in every subcontract or purchase order of over \$10,000 arising out of the contract.”

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WORK SPACE AND SUPPLIES

The Town does not anticipate providing any work space or equipment to the consultant. Consultants should identify any work space, equipment, or general supplies needed to perform the work related to this RFP in their response.

TERMINATION WITH CAUSE/DEFAULT/CANCELLATION

1. In the event that the selected consultant shall for any reason or through any cause be in default of the terms of the contract, the Town may give the consultant written notice of such default by certified mail/return receipt requested. Unless otherwise provided, the consultant shall have ten (10) days from the date such notice is received to cure the default. Upon failure to cure the default, the Town may immediately cancel and terminate the contract as of the mailing date of the default notice.
2. Upon termination, the consultant shall cease performance of any further work under the contract and turn over to the Town any work in process for which payment has been made.
3. In the event of violations of law, safety or health standards and regulations, the contract may be immediately cancelled and terminated by the Town and provisions herein with respect to opportunity to cure default shall not be applicable.

TERMINATION WITHOUT CAUSE

1. The Town may at any time, and for any reason, terminate the contract by written notice to the consultant specifying the termination date, which shall be not less than thirty (30) days from the date such notice is mailed. Notice shall be given to the consultant by certified mail/return receipt requested.
2. In the event of such termination, the consultant shall be paid such amount as shall compensate the consultant for work satisfactorily completed and accepted by the Town at the time of termination.
3. If the Town terminates the contract, the consultant shall withdraw its personnel and equipment, cease performance of any further work under the contract, and turn over to the Town any work completed or in process for which payment has been made.

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CERTIFICATE OF INSURANCE

A certificate of insurance written by a company or companies acceptable to the Town shall be submitted to the Town prior to beginning work under the contract and no later than ten (10) days after the award of the contract. Such insurance shall be maintained during the entire term of the contract and shall be in the forms and limits as shown below:

1. Workers' Compensation Insurance as required under Va. Code Title 65.2.
2. Comprehensive General Liability Insurance, including contractual liability and products and completed operations liability overages, in an amount not less than one million dollars (\$1,000,000) combined single limits. Such insurance shall name the Town of Cape Charles as an additional insured.
3. Automobile Liability Insurance including coverage for non-owned and hired vehicles in an amount not less than one million dollars (\$1,000,000) combined single limits.

PAYMENT SCHEDULE

Payments to the consultant will be limited to the negotiated lump sum amount.

Arrangements for progress payments will be negotiated between the consultant and the Town Planner prior to the commencement of work. In general, payment for services rendered by the consultant shall be invoiced monthly. Payment on invoices shall be sent 30 days after receipt of an invoice.

HOLD HARMLESS IDEMNIFICATION

It is understood and agreed that the consultant hereby assumes the entire responsibility and liability for any and all damages to persons or property caused by or resulting from or arising out of any act or omission on the part of the consultant, its subcontractors, agents, or employees under or in connection with the contract that will implement this RFP. The consultant agrees to indemnify and hold harmless the Town and its agents, volunteers, servants, employees, and officials from and against any and all claims, losses, or expenses, including reasonable attorneys' fees and litigation expenses suffered by any indemnified party or entity as the result of claims or suits due to, arising out of, or in connections with (a) any and all such damages, real or alleged, (b) the violation of any law applicable to the contract, and (c) the performance of work by the consultant or those for whom the consultant is legally liable. Upon written demand by the Town, the consultant shall assume and defend at the consultant's sole expense any and all such suits or defense of claims made against the Town, its agents, volunteers, servants, employees, or officials.

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QUESTIONS AND ADDENDA

Questions regarding the RFP application process may be submitted to:

Heather Arcos
Purchasing Agent
Town of Cape Charles
2 Plum Street
Cape Charles, VA. 23310
(757) 331-3259 x12
heather.arcos@capecharles.org

Any other questions related to the project may be submitted to:

Jason Pruitt
Town Planner
Town of Cape Charles
2 Plum Street
Cape Charles, VA. 23310
(757) 331-3259 x12
heather.arcos@capecharles.org

Consultants should carefully examine this RFP and any addenda. Consultants should seek clarification of any ambiguity, conflict, omission or other error in this RFP in writing. Questions should be addressed to the Purchasing Agent. If the answer materially affects the RFP, the information will be incorporated into an addendum and distributed to consultants. Oral comments do not form a part of this RFP.

Any changes made in this RFP will be posted and distributed to consultants of record. Any and all addenda will be dated as of the date of issue, posted and distributed by fax, e-mail or U.S. mail.

The Town reserves the right to modify the scope after reviewing the proposals, and may request such a modified scope from the top proposal(s).

A pre-bid meeting will be held on April 19, 2007 at 1:00pm at 2 Plum Street, Cape Charles, VA 23310. The purpose of the meeting will be to answer questions from potential respondents.

Submit 20 copies of proposals to Heather Arcos, Purchasing Agent, Town of Cape Charles, 2 Plum Street, Cape Charles, Virginia 23310 by 4:00pm on May 1, 2007.

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Attachments

1. Anti-Collusion Statement
2. Map of Location of Cape Charles
3. Map of Cape Charles Historic District and Study Area
4. Aerial Photograph of Study Area

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ATTACHMENT 1

ANTI-COLLUSION STATEMENT

TO ALL OFFERORS: EXECUTE AND SUBMIT WITH YOUR PROPOSAL.

In the preparation and submission of this proposal on behalf of _____ (name of consultant), we did not either directly or indirectly enter into any combination or arrangement with any person, firm or corporation, or enter into any agreement, participate in any collusion, or otherwise take any action in the restraint of free competition in violation of the Sherman Anti-Trust Act, 15 USCS Sections 1 et seq; the Virginia Antitrust Act, Virginia Code Sections 59.1-9.1 through 59.1-9.18, and the Conspiracy to Rig Bids to Government Statutes, Virginia Code Sections 59.1-68.6 through 59.1-68.8.

The undersigned consultant hereby certifies that this agreement, or any claims resulting there from, is not the result of, or affected by, any act of collusion with, or any act of, another person or persons, firm or corporation engaged in the same line of business or commerce; and that no person acting for, or employed by, the Town of Cape Charles has an interest in, or is concerned with, this proposal; and, that no person or persons, firm or corporation, other than the undersigned, have or are interested in this proposal.

BY: _____

COMPANY

BUSINESS ADDRESS

DATE