



CITY OF BURNABY

REQUEST FOR PROPOSAL

#010-01-24

OCP Form and Character Development
Permit Area Guidelines

February 23, 2024

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1.0 INTRODUCTION

1.1 Intent

The City of Burnaby (“City”) is seeking to obtain Proposals from qualified and experienced Proponents to develop Form and Character Development Permit Area Guidelines (the “Guidelines”). The intent of the Guidelines is to provide guidance to inform the planning and design of development proposals, and to support the City’s development review processes in assessing design quality and conformity with the City’s development policies. The Guidelines will consist of urban design guidance for a range of development typologies supported by visual and diagrammatic examples and precedents, along with instruction on interpretation and application of the Guidelines.

The issue of this RFP does not confer any licence or grant for any other purpose.

1.2 Background

The City is currently undertaking a substantial review and update of its land use planning framework and processes. This work includes development of the new Burnaby 2050 Official Community Plan (OCP), a ground up re-write of the Burnaby Zoning Bylaw, a review and update of the City’s Development Approvals Process (DAP project) and transition to a Development Permit system, among other projects.

The following provides an overview of key initiatives underway.

Burnaby 2050: Official Community Plan Update

A comprehensive review and update of the City’s Official Community Plan (OCP) is currently underway. This update will set the long-term vision and policies for managing city wide growth and development over the coming decades. OCP policy direction on land use scenarios, housing, growth, density, and the form and character of development (among other policy topics) are currently under development. This is a multi-year project that launched in 2022 with the new OCP (to be titled “Burnaby 2050”) scheduled for adoption in mid-2025.

It should be noted that as part of the OCP update, an extensive, multi-year engagement process has been initiated. Through this process, significant feedback and insights have been collected, including in relation to urban design issues, and the Guidelines project will be informed by these outcomes and emerging directions. While some stakeholder engagement is anticipated to support the creation of the Guidelines, the City is generally seeking to coordinate public engagement efforts with the OCP process to minimize engagement fatigue, ensure clarity, and avoid the potential for confusion between the projects. Accordingly, it is anticipated that public engagement on the Guidelines will be aligned with OCP events and updates.

As part of the transition to DPs, the Burnaby 2050 OCP will designate Development Permit Areas (DPAs) where DPs will be required as a condition of development approval. DPAs and supporting regulations (guidelines) are one of the primary tools used to implement the OCP land use framework and development policies. The Form & Character DPA Guidelines will be closely informed by OCP policy directions.

Development Approvals Process Review Project (DAP)

In 2021, the City initiated the Development Approvals Process Project (DAP) to review and update the City’s existing development application review and processing practices. The goal of the Project is to reduce timelines for development applications and building permits and create a faster, simpler, and better experience for applicants. As a component of this update, the City is transitioning to a Development Permit (DP) process to replace the current Preliminary Plan Approval (PPA) system.

The PPA to DP transition is intended to ensure the City's development approvals process is modernized, clear, and user-friendly; that recent Provincial directions and City plans, strategies, and programs are implemented; and that the City's policies are consistent with current enabling legislation and best practices in land use planning. The DAP project includes a corporate process transition initiative to introduce the new program, train staff, and inform the development community. While the proponent would not be responsible for any of the DP process transition work, it is important context.

Burnaby Zoning Bylaw Update

A ground up re-write of the Burnaby Zoning Bylaw is currently underway. The Zoning Bylaw Rewrite project will result in the creation of a new bylaw to replace the current Burnaby Zoning Bylaw No. 4742, first adopted in 1965. The updated zoning bylaw, and its new simplified districts, must be aligned with the DP process to ensure a seamless transition, and ease of use by City staff, applicants, and the general public.

Provincial “Homes for People” Plan and updated Local Government Act

In April 2023, the BC government announced a “Homes for People” plan that includes proposals to increase residential densities on single family lots and within Transit Oriented Areas across the province. Bills 44, 46 and 47 were introduced in early November 2023. The DP transition will align with the goals and requirements of these updates to the Local Government Act.

Streamside Development Permit Guidelines

Concurrent with the development of the Form and Character DPA Guidelines, the City is developing a Streamside Development Permit program, including guidelines to protect riparian areas from the impacts of new development and redevelopment of existing lots, and to support restoration of these areas to enhance fish and wildlife habitat. The Streamside DP guidelines are being prepared through a separate process, and the City is retaining a consultant to support that project.

DPA Guidelines

The DPA Guidelines will be developed to align with the above policy framework and support implementation of the Burnaby 2050 Plan through the development approval process.

Useful Links:

- [Planning and Development Committee Report – OCP – Policy Development Approach – Policy Reviews and Growth Modelling \(November 20, 2023\)](#)
- [Burnaby 2050 Official Community Plan Project](#)
- [Burnaby 2050 Official Community Plan – Phase 2 Engagement Report](#)
- [Burnaby Development Application Process Review](#)
- [Burnaby Town Centre Standards \(street and streetscape design standards\)](#)
- [Burnaby Urban Village Design Guidelines](#)

2.0 DOCUMENT AVAILABILITY & RESPONSIBILITY

This RFP is being issued electronically through the on-line bidding system at <https://burnaby.bidsandtenders.ca> where any interested party may download the RFP documents directly from the aforementioned website. No registration, tracking or other recording of RFP document holders will be performed by the City. All addenda, amendments or further information will be published through <https://burnaby.bidsandtenders.ca>. It is the sole responsibility of the Proponent to monitor the website regularly to check for updates.

3.0 PROPOSAL TERMINOLOGY

“City” means the City of Burnaby;

“Contract” means the written agreement or purchase order resulting from this Request for Proposal awarded to and/or executed by the City and the successful Proponent;

“Contract Documents” means the Request for Proposal documents, that part of the Proposal which is accepted by the City, the purchase order and executed agreement, if any, and all applicable specifications and drawings including those issued by the City to the Proponent and those submitted by the Proponent during the performance of the work and accepted by the City, whether produced before or after the date of award of the Contract as the same may be modified, amended, substituted or replaced in accordance with the provisions of the Contract from time to time;

“Consultant” means the successful Proponent to this Request for Proposal who is awarded a purchase order or enters into a written Contract with the City;

“Guidelines or DPA Guidelines” means the Form and Character Development Permit Area Guidelines

“must” or “mandatory” means a requirement that must be met in order for a Proposal to receive consideration;

“on-line bidding system” means the bids&tenders website available through <https://burnaby.bidsandtenders.ca>;

“Proponent” means a party, a company or an individual that has obtained a copy of this Request for Proposal and submits, or intends to submit, a Proposal in response to this “Request for Proposal”;

“Proposal” means the documents of the Proponent delivered to the City offering to perform the work as required under this RFP;

“RFP” means Request for Proposal;

“should” or “desirable” means a requirement having a significant degree of importance to the objectives of the Request for Proposal;

“Sub-Consultant” means a sub-Consultant having a contract with the Consultant for the performance of any part of the work; and

“Work” means all or any part of the services and/or materials required related to this RFP and the obligations required from the Consultant under the Contract and include change orders.

4.0 SCOPE OF WORK

The purpose of this Work is to develop, design and prepare Form and Character Development Permit Area Guidelines for implementation as part of the Development Permit Transition Project. These Guidelines should be organized primarily by general building typology, with references to neighborhood building typologies, such as those within Town Centres or Urban Villages which may have unique architectural forms. The Guidelines will be prepared in accordance with the applicable sections of the *Local Government Act*. The project will generally include preparation of draft and final versions of the Guidelines, preparation of materials for public

engagement, stakeholder engagement, project and process management, including preparing work plans, monitoring and reporting progress, and regular communication and coordination with the City's team.

Project Objectives - Prepare Development Permit Area Guidelines for Form and Character that:

- Ensure the highest quality architectural and urban design standards for building within the City;
- Support a timeless, sustainable, and adaptable built form;
- Incorporate climate resilience best practices, accessibility, and green building policies into development within the City;
- Support innovation and creativity;
- Provide clarity for all users. Guidelines should be clear, accessible, and intuitive to help reduce reliance on professionals;
- Can be revised and improved at regular intervals over time; and
- Complement without duplicating or contradicting the Zoning bylaw (under revision) or Community Plans (if applicable).

How will the Form & Character Guidelines be used?

- Used at Development and Urban Design Review meetings to assess design quality, identify areas for improvement/issues to be addressed, and to assist in evaluating the overall conformity of development proposals with the City's urban design policy direction.
- Used by City Development Planning staff to ascertain if applications comply with the City's urban design policies as part of the application review and approval process.
- By applicants to inform design development of proposals and support greater design quality and conformity with policy direction at the time of submission.

4.1 Consultant Work Program and Tasks

The following provides a proposed high level work plan and tasks for the DPA Guidelines. While it is expected that the Consultant's work will generally adhere to this work plan, Proponents are encouraged to provide in their methodology section the details of how they would approach these tasks, and offer alternatives, efficiencies, innovations and other means or processes to achieve intended project outcomes.

Phase 1: Project Kick-off and Background Research (March-April 2024)

At project kick-off, the Consultant will review the schedule and deliverables with City staff and adjust the work plan and approach as required to align deadlines. The Consultant will also confirm reporting, deliverables (e.g., reporting format, graphic standards), identify required documents, policies, and datasets to be provided.

As a first task, the Consultant will undertake context and background research to develop project understanding, including policy context and objectives, geographic and demographic context, built form conditions, best practices, and precedents. During this phase, the Consultant will support preliminary engagement (staff discussions, the Technical Working Group*, local development and design community, etc.), review OCP engagement data and outcomes, and review recent development trends. The Consultant will also prepare a draft Table of Contents for the Guidelines to guide work in future stages and inform content development.

*The Technical Working Group (TWG) is envisioned to provide support to the project and consultant team by offering expertise and insight on issues and considerations relating to the development of the Guidelines. Membership is anticipated to be drawn from key staff in the City's Development, Community Planning, Urban Design, Building, Engineering, and Parks divisions.

Phase 2: Develop Form & Character DPA Guidelines Draft (May-September 2024)

Following the Phase 1, it is expected that the Table of Contents for the Guidelines will be largely finalized, and the development of the Draft Guidelines will be undertaken. Preparation of the Draft Guidelines should include all Guideline content (policy and design directions), along with supporting imagery and graphics. In advance of development of the Draft Guidelines, the Consultant will prepare a draft document outline to demonstrate proposed formatting and visual language for the final Draft Guideline document. Engagement during this phase will include workshopping of the emerging Guidelines with the Project Team and Technical Working Group. For clarity, the City will assume responsibility for the final layout and publishing of the Guidelines using City developed document formatting and templates.

Phase 3: Revisions & Final Draft Guidelines (October-November 2024)

During this phase, the Draft Guidelines prepared in Phase 2 will be circulated to the Technical Working Group and other key stakeholders, including both City and external (e.g. development and design community). Feedback and comments received will be considered and addressed where appropriate through revisions to the Draft Guidelines. Following refinements, a final Draft Guidelines document will be prepared and presented to the Technical Working Group for comments and review, and further refinements if required.

Phase 4: Internal City Review and Engagement (December 2024-Feb 2025)

As part of the final review process, the Draft Guidelines will be internally circulated more broadly, including to City legal and senior leadership to obtain the appropriate approvals in advance of the Council adoption process. All DPA Guideline content (text and images) must be delivered to the City by December 31, 2024. As part of Phase 4, the City will also be seeking an opportunity to present the Draft Guidelines to the public, as part of ongoing OCP engagement activities. While the exact format and timing of this engagement is to be determined, it is anticipated to be City led effort, with background content support from the Consultant if required. It is anticipated that at this point, any further edits/revisions will be minor in nature.

Following internal circulation, the final formatting of the Guidelines will be prepared by the City, and the Council adoption process will be advanced.

4.2 Deliverables

The Consultant shall deliver:

Form and Character Development Permit Area Guidelines:

- Guidelines Table of Contents, draft Guidelines text, draft Guidelines layout, Draft Guidelines document, final Draft Guidelines document.
- Draft Guidelines text in Word document format, accompanying graphic elements in Adobe Photoshop and/or Illustrator; draft and final Guidelines in editable Adobe Indesign format. For clarity, the City expects to receive editable files of all final deliverables to allow for ease of future updates and revisions to the Guidelines.
- Mandatory Form and Character DPA Guidelines that:
 - Provides guidelines that describe the desired form and character outcomes for different building and development typologies, including, without limitation: townhouse, low-rise apartment, mid-rise apartment, high-rise apartment, commercial/institutional buildings, mixed-use buildings, agricultural buildings, and industrial buildings; with specific additional guidelines for signage, privacy and outlook, lighting, outdoor spaces, site structure, layout and access, heritage retention and parking.
 - Include a context statement defining objectives of design guidance, including importance and impact of good design.
 - Include drawings, visualizations, renderings, schematics, graphics, and example photos and precedents that illustrate the intended outcomes of the DPA Guidelines.

- Are written in clear, plain language and use appropriate supportive images so they can be understood by the public, while still providing required technical detail for developers and consultants.
- Organized into a logical order and structure to provide ease of use (e.g. include reference numbers for each guideline, group by appropriate typology and category).
- Provide guidance that supports timeless style and design, and adaptable to new innovations in building / engineering technologies.
- Includes an intent statement for each section to help the reader understand the rationale for each guideline.
- Provides direction on how to address conflicts or unique circumstances where adhering to the Guidelines may create significant hardship or threaten the viability of the project (e.g. consider other ways to meet the intent)
- Includes language to guide interpretation and application of the Guidelines.
- Voluntary design guidelines for Small Scale Multi-Unit Housing (“SSMUH”) and Rowhouse forms:
 - Provide similar guidance as for the mandatory Guidelines, including draft and final versions.
 - The City is currently reviewing recent Provincial legislation relating to SSMUH, and as part of the current Zoning Bylaw and OCP projects is examining appropriate tools to streamline and expedite approvals for these housing typologies. At this time, it is not currently envisioned to apply the DPA Guidelines to SSMUH projects within low-rise residential zones. However, the City intends to provide guidance to applicants on the design of SSMUH projects to encourage quality of design and conformity of applications with City policies and bylaws. In addition, the City is preparing a Design Library for SSMUH forms, and the voluntary guidelines for Form and Character should be consistent with these designs.
 - Single and two-family housing typologies are outside of the scope of the Guidelines.

Engagement Deliverables

- Preparation of content for promotional and communication materials for engagement events.
- Engagement work, including at a minimum:
 - Engagement plan identifying events, workshops, interviews (intended audiences, timing, planned materials, venues, etc.)
 - Content support for online survey (hosted on the City's website and managed by City staff).
 - Content support for public engagement events (to be led by City staff).
 - Consultant supported in-person or virtual stakeholder workshop(s).
 - Consultant supported in-person internal staff workshop(s).
 - Preparation of post-engagement summaries.

4.3 Roles and Responsibilities

The Consultant will:

- Complete all elements of scope listed above, including completing all deliverables on time and on budget;
- Undertake all project management tasks, including scheduling meetings, setting agendas, taking and distributing meeting notes, managing timelines and budget, and documenting project progress;
- Keep the City staff up to date on project progress, and be present for working group meetings, and Committee and Council meetings as necessary;
- Present along-side City staff Draft Guidelines to Committee and Council as necessary;
- Be responsible to develop the Form and Character DPA Guidelines in compliance with legal requirements, such as the Local Government Act and other applicable Provincial and Federal regulations;
- Prepare the layout, content, maps, and required drawings for all public-facing material;
- Develop the content of any workshop or engagement-related materials;

- Provide the City with all project files and records at any time upon request; and
- Ensure work is conducted in alignment with all applicable laws and legislation, especially with regards to the protection of privacy.

City staff will:

- Provide a recommended list of internal City technical contacts (Development, Climate Action, Environment, Engineering, Legal, etc.) to consult with;
- Support the retrieval of existing City GIS layers, data or studies, such as existing City-owned data and City-initiated research findings, as applicable;
- Create Development Permit case types and workflow to implement the DP Program, such as any application documentation, Council report format, permit fees requirements, and staff training;
- Provide communications services with regards to corporate branding for any finalized public-facing material as part of the Project;
- Provide the use of City engagement services and assets for engagement activities including: use of public engagement web platform, printing of boards/panels or other materials, meeting space at City hall, and staff to lead engagement events.
- Prepare staff cover reports to Committee and Council;
- Provide updates to concurrent work, such as the Official Community Plan (OCP) policy development as well as OCP engagement reports and engagement raw data if required; and
- Provide additional the City policy context, as necessary.

Optional Additional Scope of Work

Following the successful completion of this work, the City may wish to explore extending the contract of the Consultant to assist in the preparation of additional work related to OCP Form and Character Development Permit Area Guidelines, including digital massing analysis and City modelling. This work may be negotiated separately at the discretion of the City.

4.4 Project Schedule

The following are estimated project milestones for the work covered by this RFP.

Milestone	Target Date
Proposal Submissions Due	March 15, 2024
Proponent Interviews (if required)	March/April 2024
Award of Contract	March/April 2024
Consultant Kick-Off Meeting	April 2024
Final Deliverables: DPA Guidelines	December 2024

5.0 REQUIREMENTS

Proponents should have at least five (5) years of experience with contracts of similar size, scope, and nature. Proposals shall include a list of at least three (3) relevant projects having achieved substantial completion within the last ten (10) years with references and telephone numbers/email contact information for each. By submitting a Proposal, the Proponent consents to the City contacting these references at its discretion, and consents to the City also contacting any other organization for the purposes of evaluating the Proposal. Refer to **Attachment E – Corporate References**.

The successful Proponent must sign a consulting agreement, see **Attachment D – Sample Standard Consulting Agreement** and **Attachment A – Non-Disclosure Agreement** in addition to the documents required in this RFP.

5.1 Consultant Qualifications

The Consultant team should be multi-disciplinary and include relevant professionals who can demonstrate:

- Specialization in urban planning, architecture, landscape architecture and urban design.
- Experience preparing Form and Character Development Permit Area guidelines or equivalent documents (e.g. urban design guidelines).
- Understanding and application of regulations for Development Permits under the BC Local Government Act, BC Building Code and their use as mechanisms for supporting development approvals and urban design.
- Understanding and expertise with urban design best practices, both within the local context (i.e. the Lower Mainland and BC) and beyond (Canada and globally).
- Ability to prepare visually compelling and engaging graphic design and documents, including creation of intuitive visual and diagrammatic components to convey regulations and design intent (e.g sketches, renderings, photography, plans, schematics, visualizations).
- Experience and ability to draft clear, legible, and easily interpreted design guidelines, policy and regulations.
- Expertise undertaking stakeholder engagement, including in-person engagement (e.g. town halls, workshops, open houses, pop-up events), online (surveys, social media) and with key stakeholders (e.g. development and design community, City staff).
- Experience managing and executing projects of comparable size and complexity with schedule constraints.

6.0 INSTRUCTIONS TO PROPONENTS

ELECTRONIC SUBMISSIONS ONLY, shall be received by the on-line bidding system. Hardcopy submissions not permitted.

Proponents are cautioned that the timing of their submission is based on when the Proposal is RECEIVED by the on-line bidding system, not when a Proposal is submitted, as transmission can be delayed due to file transfer size, transmission speed, etc.

For the above reasons, it is recommended that sufficient time is given to complete your submission and to resolve any issues that may arise. **The closing time and date shall be determined by the on-line bidding system's web clock.**

Proponents should contact bids&tenders support listed below, at least twenty-four (24) hours prior to the closing time and date, if they encounter any problems. The on-line bidding system will send a confirmation email to the Proponent advising that their Proposal was submitted successfully. If you do not receive a confirmation email, contact bids&tenders support at support@bidsandtenders.ca.

Late submissions are not permitted by the on-line bidding system.

ELECTRONIC SUBMISSIONS of the Proposal marked “**RFP#010-01-24 OCP Form and Character Development Permit Area Guidelines**” bearing the name of the firm or individual bidding, will be received up to **3:00 p.m. PST, March 15, 2024 through the on-line bidding system.**

6.1 Clarification and Addenda

If a Proponent is in doubt as to the true meaning of any part of this RFP document, or finds omissions, discrepancies or ambiguities, a request for interpretation or correction shall be submitted at least five (5) working days prior to the closing date and, if deemed necessary by the City, an addendum will be issued on the bids&tenders website through <https://burnaby.bidsandtenders.ca>. This procedure also applies should the City, of its own accord, wish to expand or delete any part of these terms of reference.

The City may amend any term, condition, specification, instruction or requirement contained in this RFP, or in any information supplied with or following this RFP, at any time, before or after the closing time for submission of the Proposal. The City may cancel this RFP at any time.

In the event that the City determines that any clarification or change is required, the City will issue a written and numbered addendum and publish on the bids&tenders website through <https://burnaby.bidsandtenders.ca>.

The Proponent shall acknowledge all addendums within their Proposal. Failure to do so may result in the Proposal being rejected.

Questions related to this RFP are to be submitted ONLY to the Purchasing representative through the bids &tenders website at <https://burnaby.bidsandtenders.ca> by clicking on the “Submit a Question” button for this specific opportunity.

The Proponent is instructed not to direct queries to the attention of parties outside the Purchasing department, including any departments of the City, its subsidiaries, staff, Council members, consultants or other Proponents. Information obtained from any other source is not official and may be inaccurate. The City will not be bound by any informal explanation, clarification or interpretation, whether given orally or in writing, by whomsoever made, that is not incorporated into an addendum to the RFP documents.

The Award of this RFP, in whole or in part, is subject to the availability of funds and approval by Burnaby City Council.

6.2 Submission Requirements

The Proposal shall be submitted in the English language. The Proponent shall submit, in the Proposal, the name and relevant phone/email details of the contact person authorized to answer any questions regarding clarification or provide additional details.

Compliance – The Proponent must carefully review the RFP documents. Any and all departures from and clarifications to these documents must be clearly stated in a non-compliance statement and attached to the submission. Failure to respond will be interpreted as compliance with the City's requirements.

Completeness – Proposals are to be complete in every respect, including signatures / initials of authorized persons, where required, and responses to all information requested.

7.0 GENERAL CONDITIONS

1. Time is of the Essence

Time is of the essence of this Contract.

2. No Commitment

The City is under no obligation to enter into negotiations with a Proponent or award an agreement or purchase order, and reserves the right to terminate the RFP process at any time. Award of the Proposal, in whole or in part, may be contingent upon budget, City Council and executive approval.

3. Pricing

All costs shall be expressed in Canadian Dollars and shall include all charges, fees, and taxes except the GST, which is to be shown separately.

4. Costs

All costs associated with the preparation and submission of the Proposal, including any cost to the Proponent after the closing time and date, shall be borne solely by the Proponent. The City will not be responsible for any cost incurred by Proponents in the preparation of a submission.

No party shall have any claim for any compensation of any kind whatsoever from the City, as a result of participating in the RFP, and by submitting a Proposal submission each proponent shall be deemed to have agreed that it has no claim.

5. Consortium Proposals

If this Proposal involves a consortium or partnership, identify all members and provide information for each member. Also, clearly describe and delineate roles and responsibilities of each party and their relationship and responsibility to the single lead Proponent. The lead Proponent taking overall responsibility for the Proposal must be identified. The lead Proponent is responsible for all content and stated claims of functionality, performance, services, etc. of all named parties in their Proposal.

6. Confidentiality

The contents of this RFP, any Contract arising from a Proposal in response to this RFP, and any information pertaining to the City, its customers, or individuals, which is obtained by the Proponent as a result of participation in this project, is confidential and must not be disclosed without prior written authorization from the City.

7. Ownership of Proposals and Freedom of Information

All documents, including Proposals, submitted to the City become the property of the City. They will be received and held in confidence by the City, subject to the provisions of the Freedom of Information and Protection of Privacy Act.

8. Conflict of Interest

Proposals will not be evaluated if the Proponent's current or past corporate or other interests may, in the City's opinion, give rise to a conflict of interest in connection with this or other projects. Proponents are further cautioned that the acceptance of their proposals may preclude their participation as a proponent in subsequent RFP's where a conflict of interest may arise.

9. Shortlisting Proponents

The City may elect to short list Proponents in stages as deemed necessary. Shortlisted Proponents may be asked, at the sole discretion of the City, to provide additional information or details for clarification, which may be used as part of the evaluation process.

The City may elect to enter into negotiations with the lead Proponent or with any other Proponent concurrently. In no event will the City be required to offer any modified terms to any Proposal prior to entering into a Contract, and the City will not be liable to any Proponent as a result of such negotiations. The City reserves the right to divide services and award more than one contract.

10. Solicitation

The Proponent shall not solicit or offer any information regarding this RFP, outside of the Purchasing department, from or to any other City Staff, Council or consultants employed by the City, directly or indirectly.

11. Sub-Consultants

Use of any Sub-Consultants must be clearly identified in the Proposal submission as per **Attachment F – Proposed Sub-Consultants**. Any party who may be participating in the Proposal must be clearly identified. However, in the case of joint submissions, one party must be named as taking overall responsibility for successful completion of the work defined in the Proposal.

12. Compliance with Laws

The Consultant shall give all notices and obtain all the licenses and permits required to perform the work. The Consultant shall comply with all the laws applicable to the work or performance of the Contract.

13. Governing Law

This Request for Proposal and any Contract entered into between the successful Proponent(s) and the City will be governed by and be in accordance with the laws of the Province of British Columbia.

14. Insurance Requirements

Prior to the commencement of the work, the Consultant shall provide proof of insurance as specified in **Attachment B – Insurance Requirements** and **Attachment C – Certificate of Insurance**. These minimum insurance requirements must be maintained throughout the term of any resulting contract.

15. Indemnity

The Consultant shall indemnify and save harmless the City and its elected officials, officers, servants, employees, volunteers and agents from and against all claims, demands, proceedings, suits, losses, damages, costs and expenses of whatsoever kind or nature (including but not limiting the generality of the foregoing, in respect of death, injury, loss or damage to any person or property) arising in any way out of or connected with the work by the Consultant under this agreement, except to the proportionate extent that such actions, claims, demands, proceedings, suits, losses, damages, costs and expenses were caused by the indemnified parties or any of them.

16. Electronic Funds Transfer Payments

Prior to starting the work, the Consultant must provide the City's Purchasing department with the Consultants banking information required for EFT payment if not already on file.

Payments to the Consultant shall be processed by EFT (Electronic Funds Transfer - a direct deposit into the Consultant's bank account). A Payment Advice Notice pertaining to the EFT payment is emailed to the Consultant in advance of the deposit being made. The Consultant is required to accept payment by EFT as a commitment to the environmental form of payment selected by the City.

The Consultant shall be paid net thirty (30) days from receipt of invoice and acceptance of the goods and materials, whichever is the later.

17. WorkSafeBC

The Consultant shall be in good standing with WorkSafeBC. The Proponent shall submit with the Proposal a Clearance Letter from the Workers' Compensation Board confirming that it is currently in good standing.

No work is to commence on site until a WorkSafeBC Clearance Letter is on file with the City. The Consultant shall ensure that all WorkSafeBC safety rules and regulations are observed during performance of the Contract, not only by the Consultant but also by any and all Sub-consultant(s) and others engaged by the Consultant in performance of the Contract.

8.0 REQUIREMENTS AND SUBMISSION FORMAT

The Proponents shall submit their Proposals in the following format and order:

1. **Title Page:** Showing RFP title and number, closing date, legal company name of the Proponent, address, contact name, email address and phone number.
2. **Land Acknowledgement (1 page max)** for your company
3. **Table of Contents (1 page max):** List all sections.
4. **Executive Summary (2 pages max):** This section to include, but not limited to the following:
 - Introduction including a statement of understanding of the work;
 - Highlighting the key features and benefits of the Proposal;
 - How Proponent will meet and/or exceed City expectation as per RFP requirements;
 - Identify opportunities for cost savings; and
 - Understanding of local conditions, issues and the City's needs.
5. **Company Profile (2 pages max):** This section to include, but not limited to the following:
 - Provide a history of your company, company background, structure, resources and ownership details including number of years in business;
 - Legal business name and names of any national and international affiliations
 - Names of any owners or principals;
 - Number of staff employed;
 - Description of sustainability and environmental strategy and policy;
 - Other goods or services provided by your company; and
 - Current contracts of similar scope.

6. Qualification and Experience (6 pages max, excluding resumes): This section should include, but not limited to the following:

- Include a detailed description of the experience of the Proponent and the proposed project team that will be assigned to this project, demonstrating their experience to undertake the work outlined in this RFP and how they meet the qualification requirements;
- Provide three reference projects of comparable size, scope and complexity achieving substantial completion within the last ten (10) years. Provide details as to how they demonstrate the proponent's qualifications and experience completing similar assignments. Include contact information for each project by completing **Attachment E – Corporate References**. The City reserves the right to conduct reference checks.
- A list of all Sub-Consultants (if any) proposed to fulfill the intended work. The Proponent shall agree not to make any changes to the Sub-consultant list without written consent from the City.

Proponents are to complete and submit **Attachment F – Proposed Sub-Consultants** in this section. If no Sub-Consultants are utilized, complete this Attachment by filling in "N/A"; and Identify and provide resumes for the key personnel in the Proponent's proposed team and outline what their roles will be in implementing this project. Any changes to key personnel will be subject to review and approval by the City to ensure appropriate qualifications and experience.

7. Methodology (6 pages max): Proponents are to provide details that include, but are not limited to the following:

- An overview and description of how the Proponent proposes to successfully complete the requirements as outlined in this RFP;
- A detailed description of the work program, schedule, tasks and methodology;
- A clear and thorough description of all assumptions made regarding services and resources the Consultant would require from the City; and
- Propose a dispute resolution process for contract administration concerns.

8. Pricing:

- A detailed time and fee schedule (11 x 17 format) with reference to each member of the project team indicating the above phasing, person hour budget for each work task and phase, a schedule divided into weeks, hours per personnel assigned to the work, total hours, fee per phase and total fee (GST excluded);
- The fee schedule shall include total costs of the project, including costs of any Sub-consultant(s) and disbursements. For clarity, the fee shall include any travel costs, required materials and printing costs, administrative fees, and other ancillary costs. Please show disbursements as separate line items;
- Fee proposal shall be quoted as a Fixed Fee in CAD that includes all costs for this Project, with GST shown separately; and
- Any optional scopes of work proposed by the Proponent shall be clearly presented in the fee schedule as extra cost items separate from the project total.

9. Confirmation of Insurance capacity and WorkSafeBC and Business License:

- Confirm in response that, if successful, they will provide the required insurance prior to starting the work as per **Attachment B –Insurance Requirements** and **Attachment C - Certificate of Insurance**;
- Proponent should be in good standing with the WorkSafeBC. Proponents shall submit with their RFP a Clearance Letter from WorkSafeBC confirming that they are currently in good standing; and
- Confirm that upon a Contract award, the Consultant will obtain a City of Burnaby business license.

10. Value Added Offerings (1 page max):

- Proponents have the opportunity to offer and describe any value added services not specifically asked for, and detail as to what the Proponent is prepared to supply as part of the Contract, including potential cost savings. Submit **Attachment G – Value Added Offerings**.

10.0 EVALUATION CRITERIA

Each compliant Proposal will be evaluated on the following general criteria:

PROPOSAL EVALUATION CRITERIA	SCORING
Proposed Work Program, Methodology, and Schedule	35 points
Overall Total Cost value	25 points
Qualifications and Experience	35 points
Value Added Offerings	5 points
TOTAL SCORE	100 points

The lowest cost of any Proposal will not necessarily be accepted, and the City reserves the right to reject any or all Proposals. The City is in no way obligated to accept any Proposal.

11.0 EVALUATION PROCESS

11.1 Proposal Evaluation

The evaluation of Proposals may be done in stages. The first stage of the evaluation process will consist of the review and evaluation of the Proposals by the City's evaluation team. If required, Proponents may be requested to clarify information provided in their Proposals. The first stage may be used to identify Proponents who may be shortlisted for presentations/interview.

Proposals are evaluated according to the Evaluation Criteria listed above. Each item falls into a category which bears weighted importance to a Proponent's overall score and is reflective of the item's importance to the project.

Shortlisted Proponents may be asked, at the sole discretion of the City, to provide additional information, provide details for clarification, or present/interview their Proposal, which may be used as part of the evaluation process.

11.2 Presentation/ Interview

Proponents are advised that, in order to facilitate the City's understanding of the Proponent's Proposal, any or all Proponents may, at the City's absolute discretion and upon prior written notice, be required to make a presentation/interview of the services outlined in their Proposal (in person at the City's offices and/or by telephone and/or by web conference). If required, each such presentation/ demonstration will take place at a time appointed by the City.

By participating in presentations/interview, the Proponent confirms its agreement with these procedures and

acknowledges that the meeting is an integral part of the competitive selection process as described in this RFP and is in the interests of all parties.

Proponents are asked to follow the agenda of the presentations/interview. Shortlisted Proponents are encouraged to highlight and discuss the unique aspects of their Proposal and how their Proposal would benefit the City.

Upon completion of presentations/interview, the City may identify a preferred Proponent.

The City may elect to enter into negotiations with the lead Proponent or with any other Proponent concurrently. In no event will the City be required to offer any modified terms to any Proposal prior to entering into a Contract, and the City will not be liable to any Proponent as a result of such negotiations.

12.0 ATTACHMENTS

Attachment A – Non-Disclosure Agreement

Attachment B – Insurance Requirements

Attachment C – Certificate of Insurance

Attachment D – Sample Standard Consulting Agreement

Attachment E – Corporate References

Attachment F – Proposed Sub-Consultants

Attachment G – Value Added Offerings