



# **REQUEST FOR PROPOSALS**

**FOR**

**Land Use Legal Services**

**FOR**

**Outagamie County Development and Land Services**

Due By: May 30, 2024 at 10:00 a.m.

Deadline for vendor questions – May 7, 2024 at 12:00 p.m. CT (see Section 4 for details)

## 1. Introduction and Background

Outagamie County is located in east central Wisconsin, north of Lake Winnebago and southwest of Green Bay. The county contains 19 townships, part of Oneida Nation, and multiple incorporated cities and villages. The County currently has General Zoning authority in 13 townships (i.e., the Towns of Bovina, Center, Cicero, Dale, Deer Creek, Ellington, Freedom, Liberty, Maple Creek, Oneida, Osborn, Seymour, and Vandebroek). Among other authorities, the County also administers a Floodplain Ordinance, Shoreland/Wetland Ordinance, Erosion Control & Stormwater Ordinance, and County Subdivision Ordinance.

In 2023, the County engaged a firm to audit its Zoning and Subdivision Ordinances. Over the course of the next two or more years, the Outagamie County Development and Land Services (DLS) Department will oversee the implementation of this audit, leading to the rewriting of its Zoning and Subdivision Ordinances. Additionally, DLS will explore revisions to other ordinances under its jurisdiction. The overarching goal is to consolidate and streamline these ordinances into a cohesive Uniform Development Ordinance.

In pursuit of this objective, the County is seeking a firm to provide specialized land use legal services to support DLS staff in the development of the Uniform Land Development Ordinance.

## 2. Scope of Services

The Outagamie County Development and Land Services (DLS) Department is seeking a consultant to perform the following tasks on a time and materials basis. DLS staff will request services on an as needed basis or at key milestones, such as when new ordinance sections are drafted.

- **Consultation and Advisory Services:** Be available for consultations and advisory services to address ad-hoc questions or concerns that may arise during the rewrite process.
- **Legal Opinions, Analysis, and Interpretations:** Prepare written legal opinions, legal analysis, and/or interpretations addressing specific questions or issues raised by DLS staff. As needed, offer clear and concise explanations of the legal implications of proposed changes and their compliance with state and federal laws.
- **Research and Case Law Review:** As applicable to provide legal interpretations and opinions, conduct research on relevant case law, precedents, statutes, and regulations related to zoning and land use. Analyze how legal precedents and court decisions may affect proposed language in our Uniform Land Development Ordinance.
- **Review of Draft Documents:** Review draft versions of the Uniform Land Development Ordinance to ensure legal accuracy and compliance with local, state, and federal laws, including environmental regulations, fair housing laws, and zoning enabling statutes. Identify any potential legal risks or liabilities associated with the proposed language as well as any potential ambiguities, conflicts, and inconsistencies. Provide feedback and recommendations for revisions.

- **Revision Assistance:** As needed, collaborate with DLS staff to help revise specific sections of the proposed Uniform Land Development Ordinance. Offer legal expertise in crafting language that is legally sound, clear, and enforceable.

### 3. Pricing

Charges for the above-described services should be billed on a time and materials basis. Please submit a fee schedule, identifying hourly billable rates and positions, with the proposal.

### 4. Deadline for Vendor Questions

The deadline for vendor questions is 12:00 p.m. CT May 7, 2024. Email all questions to Nicole Schoultz at [nicole.schoultz@outagamie.org](mailto:nicole.schoultz@outagamie.org).

All questions will be answered online ([www.outagamie.org](http://www.outagamie.org) → Bids & Proposals → Land Use Legal Services by end of day May 14, 2024.

### 5. Confidential Information

Any proposals submitted in conjunction with this request become public record and consequently, open for complete public inspection. Proposals may not be marked with a blanket confidentiality disclosure.

Due to the nature of this professional service, Outagamie County does not foresee any items being marked confidential. However, if there are confidential or proprietary sections of proposals which should be exempted from this requirement, Proposer(s) must complete Attachment A. Only items specifically referenced on Attachment A will be considered.

Notification of the County's determination on such requests will be made prior to release of any of the information included in the proposal.

### 6. Insurance and Indemnification

Refer to Attachment B. This form must be completed and returned with the proposal response. A Certificate of Insurance will only be required from the awarded consultant.

### 7. Proposal Submittal

To maintain uniformity between proposals, it is required that interested firms submit proposal responses in the following order and in a single PDF document:

- **Cover Letter (maximum of one page).** The letter should reference the firm's primary contact(s) for this project along with their email and telephone number.
- **Section 1: Statement of Qualifications.** Indicate your firm's particular abilities and qualifications related to this project. Please articulate the following qualifications:

- Experience with of local and state (Wisconsin) zoning laws, land use regulations, and environmental policies.
  - Experience navigating county regulatory processes.
  - Record of reviewing and writing land division, zoning, land use, and environmental protection ordinances and codes.
  - Experience with comprehensive planning, rural and suburban planning and zoning, and planning/zoning legal issues.
  - Knowledge of Federal and State zoning laws, Wisconsin State Statutes, Wisconsin case law, and the Wisconsin legal system.
- **Section 2: Resume(s) of Key Individuals.** Provide a resume for key individuals who will be assigned to this project.
  - **Section 3: Project Understanding and Approach.** Explain the firm's understanding of the Scope of Services to be performed and the process that the firm will use to complete assignments.
  - **Section 4: Similar Projects.** Provide a minimum of three and a maximum of five similar projects completed by the proposed project team. Include a project description, date of services provided, and client name including contact name, address, phone number, and email.
  - **Section 5: Availability.** Provide the firm's availability to perform services through June 2026 using June 18, 2024 as the notice of award.
  - **Section 6: Sub-consultants.** If applicable, reference any sub-consultants or supporting firms that will be used and the role or service that each firm will provide.

The following supporting sections must be included in a separate PDF from the above requested information to be considered a complete proposal:

- Completed Proposal Form (see final page of this PDF).
- Completed Attachment A (as referenced in Section 5.0).
- Completed Attachment B (as referenced in Section 6.0).
- Addenda – Acknowledgement of any addenda issued.

Failure to provide all requested information may result in the rejection of a firm's proposal.

## 8. Evaluation and Interviews

At a high level, proposals will be evaluated on the following:

- Staff Qualifications of Key Personnel
- Project Understanding and Approach

- Similar Projects
- Schedule
- Cost

Consultants may be requested for a virtual interview with the County's evaluation team.

## **9. Contact Information**

Purchasing Policy & Procedure Information

Nicole Schoultz  
 Outagamie County, Procurement Coordinator  
 (920) 832-6083  
[Nicole.Schoultz@Outagamie.org](mailto:Nicole.Schoultz@Outagamie.org)

## **10. Clarification and/or Revisions to the Specifications and Requirements**

Proposer must examine the RFP documents carefully and before submitting a Proposal may request from the County's contact person(s) additional information or clarification by noon on May 16, 2024. A Proposer's failure to request additional information or clarification shall preclude the Proposer from subsequently claiming any ambiguity, inconsistency, or error.

The County will issue responses to inquiries and any other corrections or amendments it deems necessary in written addendum prior to the Proposal due date. Proposers should rely only on the representations, statements or explanations that are contained in this RFP and the written addendum to this RFP. Where there appears to be a conflict between the RFP and any addendum issued, the last addendum issued will prevail.

It is the Proposer's responsibility to assure receipt of all addenda. Outagamie County will post any addenda online at [www.outagamie.org](http://www.outagamie.org) under Bids & Proposals then this project. Upon posting, such addenda shall become part of the RFP and binding on Proposer(s).

## **11. County Reservation**

Outagamie County openly solicits the best possible value on all of our "Requests for Proposals". Because we are a local government, we are able to purchase directly from many of the state and federal contracts. However, in order to not discriminate against our local proposers, we openly solicit proposals of similar pricing structure from all qualified proposers. In the event that all proposals received are in excess of any existing state or federal contract that is available to Outagamie County, we may at our discretion, reject all proposals, and purchase directly from the vendor awarded the state or federal government contract. Outagamie County reserves the right to accept or reject, any or all proposals, in whole or in part, as deemed in the best interest of the County.

- This proposal request does not commit Outagamie County to make an award or to pay

any costs incurred in the preparation of a proposal in response to this request.

- b. The proposals will become part of Outagamie County's files without any obligation on Outagamie County's part.
- c. The proposer shall not offer any gratuities, favors, or anything of monetary value to any official or employee of Outagamie County for any purpose.
- d. Outagamie County reserves the right to request clarifications for any proposal.

## **12. Closing Date**

Proposals will be received up to 10:00 am May 30, 2024.

## **13. Proposal Submittal**

Email proposals to [Nicole.Schultz@outagamie.org](mailto:Nicole.Schultz@outagamie.org).

## **14. Taxes**

Outagamie County is exempt from Federal Excise Tax (39-6005724), Wisconsin Sales Tax (ES 41005), but if there is a tax, such as local or county, it must be shown in the proposal.

## **15. Method of Procurement**

The method for this procurement is competitive proposal, pursuant to Chapter 22 of the Outagamie County Code of Ordinances. After submission of the written proposal, qualified proposers may be requested to make an oral presentation to a committee responsible for making final recommendations. The process allows for confidential negotiations and revisions.

## **16. Venue**

This agreement will be governed and construed according to the laws of the State of Wisconsin. This agreement is performable in Outagamie County.

## **17. Status of Proposal**

Upon award, proposals will be considered public record and details will be posted online. Information on status could be obtained from Outagamie County's web site [www.outagamie.org](http://www.outagamie.org) → Bids & Proposals.

# OUTAGAMIE COUNTY PROPOSAL & PRICING FORM

## Land Use Legal Services

**Proposals Due:** May 30, 2024 at 10:00 am CT

**Email Proposals To:** [Nicole.Schultz@outagamie.org](mailto:Nicole.Schultz@outagamie.org)

Firm Name: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Print Name / Title: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_