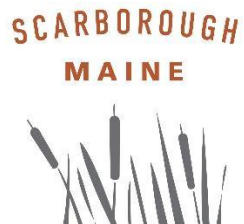


**REQUEST FOR QUALIFICATIONS**  
**FOR**  
**CONSERVATION OPEN SPACE PLAN**

**RFQ 282024**

**Town of Scarborough**  
P.O. Box 360  
259 U.S. Route One  
Scarborough, Maine 04070-0360

Released on December 26, 2023  
Proposals Due on January 25, 2024



## Section 1 OVERVIEW

The Town of Scarborough is seeking proposals from professional consulting firms with experience to assist the Town's Planning and Engineering & Technical Services Departments with developing a conservation open space plan. The scope of the project is to draft an open space plan that will be a guide to elected and appointed town leadership by identifying high priority properties to protect or acquire; provide land stewardship guidance for existing open space lands; identify opportunities to expand connectivity between open space assets, neighborhoods and trails; and to outline programs, ordinances, and partners that could be instrumental in securing the future of the identified high priority properties.

The scope of work will include a total of five tasks including project coordination & management, data review & analysis, ordinance review & impact fee development, conservation priorities, and community engagement. The final plan must include all findings from each task. Detailed requirements for each task are outlined in Section 3, Scope of Work.

The Town intends to select one (1) firm to conduct the Open Space Plan and develop all deliverables based on the quality, range of strengths, and responsiveness of the proposals received.

### Background

The Town of Scarborough has experienced considerable residential and commercial growth over the past 30 years. Scarborough's population grew by nearly 77% between 1990 (12,532) and 2020 (22,135). Given this rate of growth, Scarborough residents are interested in preserving Scarborough's unique natural resources. Within the Town's boundaries exist seashore, salt marsh, wetlands, forest, uplands, tidal rivers, and streams, all of which are home to varied and unique species of wildlife. Few towns in Maine have the diverse resources that exist in Scarborough, which provide critical habitat for shorebirds and other avian species, shellfish beds, fish nurseries, mammals, reptiles, and amphibians.

In 2023, the Scarborough Town Council passed a resolution to support 30x30, an effort to conserve at least 30% of Scarborough's land by 2030. This conservation open space plan is intended to provide a roadmap to achieve 30x30.

The overall goals for this project are to:

- Identify open spaces, forests, and agricultural lands important to Scarborough residents;
- Establish a town wide strategy for land protection and preservation to achieve 30x30;
- Plan for establishing new or formalizing existing access to passive recreational areas and balancing public access and types of uses with sustainable management practices;
- Plan for formalizing links to and between new and existing assets to ensure access from residential and workplace areas town wide;
- Guide and prioritize capital investments and identify funding opportunities including public/private partnerships; and
- Be a tool for coordinating town wide projects, policies, and programs related to conservation of open space.

## Section 2 SCHEDULE OF EVENTS

This request for proposals will be governed by the following schedule:

Release of RFQ	December 26, 2023
Deadline for written questions	January 10, 2024
Proposals due	January 25, 2024
Review of proposals	January 25 – February 1, 2024

Interviews for top qualifying firms, if needed  
Final selection by selection committee

Week of February 5, 2024  
February 15, 2024

### **Section 3 SCOPE OF WORK**

See attachment A for Scope of Work.

### **Section 4 SUBMISSION REQUIREMENTS**

All proposals are due and must be delivered to the Scarborough Planning Department at Town Hall located at 259 U.S. Route One, Scarborough, Maine on or before January 25, 2024 by 10:00 am. Proposals submitted late will not be considered or accepted.

Each Respondent must submit five (5) copies of the Proposal, plus an electronic version. One Proposal Fee, which includes hourly rates of appropriate staff, shall be submitted under separate sealed envelope contained within the Respondent's sealed proposal. Proposals submitted must be clearly marked: **Request for Qualifications for Conservation Open Space Plan.**

**Proposals must be addressed and delivered to:**

**Town of Scarborough  
Clerks' Office  
P.O. Box 360  
259 U.S. Route One  
Scarborough, Maine 04070**

Hand delivered proposals will be date/time stamped/signed by the Town Clerk. Normal business hours are Mondays-Thursdays 7:00 am to 5:00 pm, excluding holidays. The Town will not be liable to any Respondent for any unforeseen circumstances, delivery or postal delays. Postmarking on the due date will not substitute for receipt of the proposal. Each Respondent is responsible for submission of their Proposal.

**A Proposal will be disqualified if the Hourly Rate Fee Proposal is not contained within a separate sealed envelope.**

**All questions must be in writing and submitted to Kim Morrison by January 10, 2024 at the following email: [kmorrison@scarboroughmaine.org](mailto:kmorrison@scarboroughmaine.org)**

In order to establish a uniform review process, it is requested that proposals be organized in the following manner:

1. Title Page
  - a. Show the proposal subject, name of firm, local address, telephone number, name of primary contact person, and date.
2. Table of Contents
  - a. Include a clear identification of the materials by section and by page number.
3. Letter of Transmittal
  - a. Limit to two pages. This letter should briefly state the Respondent's understanding of the work to be done and give details of Respondent's anticipated project approach and plan review timetable.

4. A brief summary of experience of individual(s) who will be working with the Town of Scarborough. Include a list of recent projects managed by the individual(s), and a list of projects reviewed by the individual(s). Particular attention should be paid to the last 5 years experience with land conservation projects.
5. A Capabilities Statement, which includes the core services the Respondent can provide related to technical, analytical, planning, and communication disciplines. Topics that should be addressed should be the elements under Section 3, Scope of Work.
6. A brief assessment of the Respondent's experience with evaluating parcels for ecological significance, reviewing and updating Town ordinances, developing strategies to conserve land, and developing interactive web-based tools.
7. Names and qualifications of key individuals who will be responsible for conducting each task of the project, as well as the primary point of contact, including registrations, licenses, and certifications. Prior vulnerability and resilience experience should be highlighted in this section.
8. List five (5) references of past clients, including primary contact's name, title, address, phone number, email address, and last project name and date that the Respondent worked on with the reference contact.
9. A statement confirming that the Respondent can accommodate the anticipated workload.

**A Fee Proposal shall be submitted in a single separate sealed envelope with the proposal. Any proposal not complying with this requirement may be subject to disqualification. The project funding is a maximum of \$40,000 and total project costs shall not exceed this amount. Final deliverables must be provided before exceeding the project funding amount.**

- a. Fee Proposals are to include schedule/hourly rate for all personnel/positions who will be assigned to this contract as well as travel time rates and mileage.
- b. Include in Fee Proposal any miscellaneous fees and charges, such as postage, printing, etc.
- c. The Fee Proposal may be adjusted after negotiations with the Town and prior to signing a formal contract, if necessary.
- d. The Fee Proposal shall indicate the markup for subcontractor services.

## **Section 5 EVALUATION CRITERIA**

The Town of Scarborough's evaluation and selection process is a Qualifications-Based Selection (QBS) for professional services. The Town of Scarborough may use some or all of the following criteria in its evaluation and comparison of proposals submitted. The criteria listed are not necessarily an all-inclusive list. The order in which they appear is not intended to indicate their relative importance. The ranking will consist of the proposals based upon a maximum of 100 points, as follows:

1. Experience / Qualifications (25 points maximum)
  - a. Based on information provided in Section 4(4) outlined above.
2. Capabilities (30 points maximum)
  - a. Based on information provided in Section 4(5) outlined above.

3. Personnel Qualifications (25 points maximum)
  - a. Based upon information provided in Section 4(7) outlined above.
4. References (10 points maximum)
  - a. Based upon information provided in Section 4(8) outlined above.
5. Workload Availability (10 points maximum)
  - a. Based upon information provided in Section 4(9) outlined above.

Fee Proposals will be opened after the selection process has been completed.

## **Section 6 SELECTION**

A Selection Committee, consisting of Town of Scarborough staff and residents, will evaluate the information provided, and rate each Respondent by the criteria indicated in Section 4 and 5. The Selection Committee will administer the selection procedure including any necessary negotiations.

Based upon this review, the Selection Committee may select one, some, or all Respondents for interviews. Should interviews be conducted, the person who will be responsible for managing the contract must be present at the interview. The Committee may request that other identified key personnel be present also.

## **Section 7 STANDARD TERMS AND CONDITIONS**

The Town of Scarborough reserves the right to amend this RFQ prior to the proposal due date. All amendments and additional information will be posted on the Town website: [www.scarboroughmaine.org](http://www.scarboroughmaine.org). The Town reserves the right to waive any informality in proposals, to accept the proposals or portions thereof, and to reject any and all proposals, should it be deemed in the best interest of the Town to do so. Nothing in this document shall require the Town of Scarborough to proceed with Engineering and/or any of the identified services. The Town reserves the right to substantiate Respondent's qualifications, capability to perform, and availability and past performance record.

The cost for developing the proposal is the sole responsibility of the Respondent. All proposals submitted become the property of the Town.

The apparent successful firm will be required to sign a Professional Services Contract. Prior to award, the apparent successful firm may be required to enter into discussions with the Town to resolve any contractual differences. These discussions are to be finalized and all exceptions resolved with one (1) month of notification. If no resolution is reached, the proposal may be rejected and discussions may be initiated with the second highest scoring firm. The Town may extend the one (1) month timeline if it is deemed appropriate.

The duration of the contract shall be through July 1, 2025. The Town solely reserves the right to negotiate any additional work beyond the contract date with the selected Respondent. The Town shall announce its intention prior to the end of the contract period. Pursuant to Scarborough Town Code, the Town reserves the right to cancel any contract immediately for cause, or for convenience on thirty days prior written notice to the contracted firm. The Town also reserves the right to include in the contract for services other terms and conditions not specifically set forth herein, including but not limited to

terms and conditions required by non-Town funding sources. The Town reserves the right to cancel the contract if any key personnel changes or additions are not agreed upon in writing.

The Town reserves the right to approve subcontractors. All work performed under contract to the Town becomes the property of the Town in the format specified by the Town.

A Certificate of Insurance is required from all consultants, contractors, and vendors doing business with the Town of Scarborough. Within two (2) weeks of the Notice of Award, Respondent must submit a Certificate of Insurance naming the Town of Scarborough as "additional insured." Failure to furnish the required certificate within the required timeframe may result in the proposal being rejected.

The successful Respondent(s) selected shall agree to defend, indemnify and hold the Town harmless from any and all claims, demands, suits, causes of action and judgments arising from or related to Consultant's performance, including claims of professional malpractice or negligence. Such indemnity shall include the Town's reasonable attorneys' fees as well.

The above referenced indemnity shall be in addition to and as a complement to the below described insurance coverage, which coverage is a mandatory requirement of this RFQ and any award hereunder.

Specifically, the successful Respondent(s) shall provide the following coverage(s) and amount(s).

Commercial General Liability	\$2,000,000.00
Automobile Liability	\$2,000,000.00
Workers Compensation	\$1,000,000.00
Errors and Omissions	\$2,000,000.00
Umbrella Coverage	\$2,000,000.00

All policies shall be underwritten by companies licensed to sell insurance in Maine and who are rated A+ or better by AM Best Company. Self-insurance pools or trusts are not an acceptable substitute for the referenced commercial coverage.

Those firms or entities who wish to limit their proposals to one or more specialty categories (B-E) may propose alternate coverage levels, but the Town will consider such reduced coverage when making any award hereunder. Any such alternate coverage proposal must still contain at least a \$1,000,000.00 umbrella policy naming the Town as an additional insured.

**Attachment A: SCOPE OF WORK**

Respondent will furnish all labor, materials, and equipment necessary to develop a conservation open space plan, as detailed below.

**Task 1 – Project Coordination & Management**

Respondent will provide budget tracking, schedule tracking, and communication with the Town. Respondent will hold a kick-off meeting and at least monthly progress updates with the project steering committee via video conference and/or in-person, as requested by the Town. Respondent is responsible for compiling meeting notes and providing them to Town staff for distribution to the steering committee. Progress updates will include invoices, presentations, and agendas, as needed.

**Task 2 – Data Review & Analysis**

Respondent will inventory the Town's existing public and private lands. The Respondent will work with the project steering committee to determine: the Town's area (various data sources have conflicting values for the Town's area, so criteria for calculating the area needs to be established), the percentage of the Town's area that is currently conserved, and additional conservation needed to achieve 30x30.

The Town has existing GIS data. Other data sets may be available and will be accessible to the consultant.

**Task 3 – Ordinance Review & Impact Fee Development**

Respondent will review the Town's ordinances, including but not limited to Chapter 405, Zoning Ordinance; Chapter 405B, Site Plan Review Ordinance; and Chapter 406, Subdivision Ordinance to identify areas where ordinances should be updated to require and/or incentivize conservation of open space. The Town wishes to explore establishing an open space impact fee. Revenues from the fee would fund future land and easement acquisitions. The Respondent will assist the Town with establishing a fee structure and criteria to be considered by the Town Council. The Respondent will provide a memorandum summarizing recommended ordinance updates and impact fee structure. Respondent will revise this memorandum to address any Town comments. Information from the final memo will be included as a part of the final conservation open space plan.

**Task 4 – Conservation Priorities**

Respondent will develop conservation priorities to help the Town achieve 30x30. Specific parcels for conservation will be identified through this process. Priority should be given to parcels that are contiguous to other conserved lands, provide connections between existing open space, include critical habitats, and/or provide important ecosystem services. The Respondent will provide the Town with the priority list of parcels; however, the public report will include only general descriptions of priority areas.

**Task 5 – Community Engagement**

Respondent will prepare and present required materials for one open house public meeting to provide an introduction and overview of the project, process, and instruction on providing input. Respondent will develop an online portal for the project, which will include information about the project, interactive maps, and a means to collect public input. Respondent will keep the online portal updated throughout the duration of the project.

Upon completion of the conservation open space plan, the Respondent and project steering committee will present the findings to the Scarborough Town Council and the public at a Town Council workshop.

Deliverables

- One (1) electronic copy of final Conservation Open Space Plan for Town Council action in both PDF and MS Word format.
- One (1) comprehensive list of priority parcels for conservation.
- One (1) ordinance review and impact fee memo.
- One (1) electronic copy of all meeting summary highlights and notes.
- Maps and supporting map data provided in the following formats:
  - Local and State Projections  
Projected Coordinate System: NAD 1983 StatePlane Maine West FIPS 1802 (US Feet),  
WKID:26848 (Previous: 102684), Geographic Coordinate System: NAD 1983 WKID: 4269
  - National and Global Projections  
Projected Coordinate System: WGS 1984 Web Mercator (auxiliary sphere),  
WKID: 3857 (Previous: 102100), Geographic Coordinate System: WGS 1984 WKID: 4329
- All information, data, documents, photos, computer records, and other materials of any kind acquired or developed by the consultant pursuant to this project shall be the property of the Town of Scarborough.



**Attachment B: BIDDERS LIST**

The following firms directly received this RFQ. Firms not included on this list are also encouraged to bid.

Creative Conservation, LLC  
27 Giles Rd  
Readfield, ME 04355  
jbley@gwi.net

LK Planning, LLC  
30 Spear Avenue  
South Portland, ME 04106  
donna@lkplanningmaine.com

North Star Planning  
49 Pineland Dr Suite 102  
New Gloucester, ME 04260  
jtorres@northstar-planning.com

Viewshed  
121 West Main Street  
Yarmouth, ME 04096  
jcg@viewshed.net