



TOWN OF YARMOUTH, NOVA SCOTIA  
MUNICIPAL PLANNING STRATEGY REVIEW

REQUEST FOR PROPOSAL: RFP-2023-001-PLN

Date issued: September 22, 2023

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## **1.0 Invitation**

The Town of Yarmouth is seeking proposals from qualified consultants to complete a Comprehensive Review and Update of the Town's Municipal Planning Strategy (hereinafter referred to as the "MPS" or "Municipal Plan") and its enabling by-laws to include Land Use Bylaw and Subdivision Bylaw noted herein in accordance with provisions of the *Municipal Government Act, Chapter 18 of the Statutes of Nova Scotia, 1998*. The new Municipal Planning Strategy will replace the Town's existing MPS which was approved by the Department of Municipal Affairs on August 16, 2016, and included fifty-eight amendments. The new Municipal Planning Strategy will establish a contemporary policy framework in conformity with all applicable Planning policy and legislation to guide the Town's future growth and development to the year 2036.

## **2.0 Background**

The Town of Yarmouth, is in southwestern Nova Scotia, encompassed by the Municipality of the District of Yarmouth, and is located approximately three hundred kilometers southwest of Halifax. The Town can be accessed by Highways 1 and 3, which follow the Bay of Fundy and along the south shore, as well as provincial highways 101 and 103 which provide primary access routes.

The Town has an area of approximately 2,743 acres (1,110 hectares) in size with a 2021 census population of 6,935 – an increase of 4.8% from the 2016 census. The Town also acts as the service center for an additional 20,000 people from the surrounding area and during the high peak tourist season (June-September), expands by another 30,000 people primarily using the Yarmouth-to-Maine Ferry Service.

History demonstrates Yarmouth's prosperity as a seafaring Town that peaked in the late 1800's. This period saw a great deal of shipping and trade activity, wooden boat building as well as the development of a significant commercial fishery. The Town was incorporated as a municipal unit in 1890.

Today, the Town's focus remains with the marine related industries. The tourism industry continues to operate and regionally leadership in the Ocean and Renewable Energy sectors continues to develop. In the twentieth century an airport was established which currently provides the region with 24-7 access for medical and coast guard service. A Yarmouth to Maine, USA Ferry service was re-instated on May 15, 2014, with funding from the Government of Nova Scotia providing for more opportunities for the Town and surrounding southwest Nova Scotia area.

The Town supports a thriving business community and is considered the service center for the southwestern area of the province. It offers many urban amenities, including the Yarmouth Regional Hospital, and has developed an innovation cluster, including Ignite Atlantic, Western Regional Enterprise Network and the NSCC Burrige Campus. The Town of Yarmouth also offers an extraordinary range of cultural, recreational and leisure activities, such as Seafest Festival, Coal Shed Music Festival, Antique Car Show, SWITCH Open Street events, many arts, food, and drinks festivals, along with the Art Gallery of Nova Scotia's Western Branch, Yarmouth Museum and Archives, Sweeney's Fishery Museum, to name a few.

Through its decision making over the years, Town Council has demonstrated commitments to:

- Supporting opportunities for economic growth and development;
- Taking initiative on issues related to climate change, renewable energy, and environmental stewardship;
- Maintaining neighbourhood integrity while still providing housing options such as: granny suites, boarding rooms, accessory dwelling suites, and tiny homes;
- Supporting active living and community well-being for all people of all abilities;
- Celebrating and preserving our cultural and built heritage; and,

- Engaging in regional collaboration and inter-municipal partnerships.

### **3.0 Scope of Work and Deliverables**

The successful Proponent will develop a new planning framework including comprehensive updates to the MPS, LUB, and SBL that will provide the Town of Yarmouth with a comprehensive, forward-looking policy framework to guide the Town's decision-making and achieve sustainable community development to the year 2036.

The Town's new planning framework will establish a Vision for the Town of Yarmouth based on a set of forward-looking principles, goals, and objectives to guide future decision-making, based on the philosophy of sustainable community development, both fiscally and environmentally.

The successful Proponent will develop a robust, innovative, and comprehensive community engagement and consultation strategy to develop and promote consensus with affected stakeholders, including Council, the public, staff, government agencies, sister municipalities, Indigenous communities, the private sector, and non-governmental organizations. This plan will be encapsulated into a standalone Communications Strategy that will be reviewed and approved by Town staff.

#### **Key components of the Comprehensive Review and Update of the Planning Framework will include:**

- A review of the existing MPS, LUB and Subdivision Bylaw including the Amendments to identify elements that require updating.
- An examination of the Statement of Provincial Interest (SPI) (MGA S.198 [Charter S.214]) to develop appropriate policies for implementation of the new MPS to ensure consistency with SPI.
- An examination of recent amendments to the Municipal Government Act to ensure the MPS is updated to reflect the most recent Provincial legislation.
- An examination to the recent amendments to the Nova Scotia Heritage Act to ensure the MPS is updated to reflect the most recent Provincial legislation.
- An examination of the provincial/regional growth targets to have the MPS brought into alignment.
- An examination of the Watershed Protection Plan (WPP) to ensure conformity with the WPP.
- An examination of the Downtown Blueprint Plan and Waterfront Action Plan to identify opportunities for a forward-thinking planning framework as it relates to these two key areas.
- Inclusion of relevant the climate change policies and research including, but not limited to the Coastal Protection Act, Environmental Goals and Climate Change Reduction Act, other Provincially set targets and mandates, in addition to the Town's Climate Change Action Plan.
- A review and incorporation of the Town's Infrastructure Renewal Master Plans undertaken by the Town's Engineering Department (i.e., water, wastewater, stormwater, multi-modal transportation, etc.).
- A review and incorporation of the Town's Assessment Management Strategy/Plan.
- A review of the Town's Active Transportation Plan, Parks, Recreation and Culture plans and policies, to ensure the Town's MPS is updated to reflect the Town's future parks and trails and cultural space planning.
- Work alongside other current Town-driven initiatives to ensure alignment within the new Planning Framework.
- Ensure incorporation of multi-modal transportation and transportation demand management policies to address connectivity, accessibility, parking, active transportation, etc.
- In consultation with staff, determine the recommended Strategic Growth Areas.
- In consultation with staff, determine the recommended Employment Areas versus Major Retail Areas and the recommended minimum employment densities. Town GIS Staff will assist in Mapping Update.
- Update Town's urban design policies.

- Consider the use of visual graphics such as photos, illustrations, charts, etc. to aid in the understanding of the proposed policies.
- Review of the Town’s existing approach to flood control as per provincial Coastal Protection Act regulations and update Town’s mapping and policies for flood-proofing.

**The Comprehensive Update and Review of the Town’s Planning Framework will include four major phases over a two-and-a-half-year timeframe commencing at the beginning of 2024 and concluding by March 2026.**

### **Phase 1: Project Start Up and Visioning**

- Develop and Finalize the Communications Strategy in consultation with Town staff.
- One-on-one meetings with members of Council, the Town’s Planning Advisory Committee, the Town’s Transit Advisory Committee, Accessibility Advisory Committee, Waterfront Advisory Committee, Recreation Advisory Committee, Yarmouth, and Acadian Shores Tourism Board, Ignite Atlantic and the Yarmouth and Area Chamber of Commerce Board to establish the vision and ‘On the Edge’ planning principles.
- Community consultation to establish the vision and ‘On the Edge’ planning principles to garner feedback to inform the writing of the new Municipal Plan
- Consult with Municipal Affairs and Housing.
- Consultation with Yarmouth County Municipalities and Indigenous Community.
- Co-ordination with key partners and associated strategic plans.
- Conduct Background Research and data collection on land use, urban design, sustainability, multi-modal transportation, and protection of natural heritage features and areas.
- Produce an Engagement Summary Report for Phase 1.
- Council approval of the Vision and ‘On the Edge’ planning principles.

### **Phase 2: Development of ‘Issues and Options’ Report**

- Develop a series of “Issues and Options” reports to be considered by Council with respect to areas of interest for the Town such as:
  - Identification and conversion of employment lands;
  - Identification of Strategic Growth Areas and targets/densities for intensification options;
  - Sustainability and climate change mitigation and adaption, protection of water resources, shoreline, and natural heritage features and areas;
  - Affordable housing;
  - Multi-modal transportation, transportation demand management,
  - Culture, recreation, open space, parks, and trails planning.
- Meeting with Town’s Planning Advisory Committee, Town’s Waterfront Advisory Committee, Town’s Transit Advisory Committee, Town’s Accessibility Advisory Committee to discuss the draft “Issues and Options” reports.
- Community consultation to garner input on the draft “Issues and Options” reports.
- Consultation with Yarmouth County Municipalities and Indigenous Community.
- Produce and Engagement Summary Report for Phase 2 and Strategic Directions policy.
- Council approval of the “Issues and Options” Reports providing policy direction to the Consultants.

### **Phase 3: Draft Policy Directions and Planning Framework**

- Develop draft Planning Framework and associated maps (first draft).

- Meeting with the Ministry of Affairs and Housing, Town’s Planning Advisory Committee, Town’s Waterfront Advisory Committee, Town’s Transit Advisory Committee, Town’s Accessibility Advisory Committee to discuss the draft policies and mapping.
- Conduct community consultation to garner input on the draft Planning Framework and mapping.
- Consultation with Yarmouth County Municipalities and Indigenous Community.
- Produce and Engagement Summary Report for Phase 3.

**Phase 4: Revise and Finalize Planning Framework**

- Refine the Planning Framework and mapping (2<sup>nd</sup> Draft) based on feedback received on the 1<sup>st</sup> Draft.
- Consult with community and stakeholder groups on revised versions of Planning Framework.
- Consultation with Yarmouth County Municipalities and Indigenous Community.
- Prepare final draft of the Municipal Plan and associated mapping (3<sup>rd</sup> Draft) based on feedback received on the 2<sup>nd</sup> Draft.
- Produce and Engagement Summary Report for Phase 4 prior to Council adoption of the new Municipal Plan.
- Bring entire Planning Framework through Provincial Statutory Process for Council Adoption and Ministry Assent.

**Successful Proponent Team Requirement:**

This project should be led by an expert professional land use planner. This planner should have previous experience developing Municipal Plans in Nova Scotia.

**The Team:**

The successful Proponent will work with Town Staff (referred to as “the Team”) and will schedule regular meetings with the Team virtually and/or in person while actively working on the terms of the agreement as set in this RFP.

The Team will consist of:

- Director of Planning and Economic Development
- Town Planner/Contract Planner
- Development Officer

Additional team members may be added in monthly meetings.

In addition to the monthly meetings with The Team, there will be additional virtual meetings with staff in other Town departments during Phases 2, 3, and 4 Scope of Work.

The successful Proponent will be responsible for scheduling these meetings, preparing agendas, presentation materials, and meeting minutes.

**Public Consultation:**

The successful Proponent will have prepared a robust and innovative public consultation strategy to garner as much public input as possible throughout the writing of the new Planning Framework. In accordance with the Scope of Work outlined in this RFP, the consultation process will involve and inform local residents, the business and development community, public agencies, and other special interest groups (i.e., youth and seniors) and will include stakeholder workshops, Open Houses, and provide an appropriate mix of in-person, virtual, and online participation options.

Use of the Town’s Get Involved Yarmouth Engagement Platform is also required for on-line engagement.

The successful Proponent will be responsible for preparing notices, surveys, presentation materials, and recording public comments received.

**Sister Municipalities Consultation:**

The successful Proponent will include provisions in the Communications Strategy for collaborating with the Municipality of the District of Yarmouth and the Municipality of the District of Argyle.

**Indigenous Consultation:**

The successful Proponent will include the Consultation and Communications Strategy and recognition of the Indigenous communities and traditional territories and a consultation strategy for collaborating with the Indigenous communities.

**Committee and Council Presentations:**

The successful Proponent will be required to present to Council in accordance with the Scope of Work throughout the four-phase work program, in addition to individual one-on-one meeting with individual Council members during Phase 1 to develop the Vision and ‘On the Edge’ planning principles.

The successful Proponent will be required to make presentations to the Town’s Planning Advisory Committee, the Town’s Transit Advisory Committee, Accessibility Advisory Committee, Waterfront Advisory Committee, during Phases 1, 2, and 3 of the work programs. Presentations to these Committees is expected to be budgeted for. Presentations may be done virtually at the discretion of the Town Staff.

**Deliverables:**

Provide electronic versions of all reports, maps, presentations, etc. in the following formats:

- Mapping (AutoCAD, ArcGIS and .pdf)
- Analysis (MS Excel and .pdf)
- Presentations (MS PowerPoint or Town approved alternative and .pdf)
- Written Reports (MS Word and .pdf)

The successful Proponent will also provide presentation materials for required meetings, including PowerPoint Presentation materials.

The successful Proponent is also expected to prepare Schedule and Budget Updates upon request. It will be required that Invoices include a Budget Tracking with percentage and budget expended based on the Approved Work Plan.

NOTE: Written reports and presentation materials must be submitted as fully “accessible” public web material that can be posted to the Town of Yarmouth Website. (“Accessible” means fully compliant with Adobe Acrobat Accessibility Standards).

**4.0 Mandatory Submission Requirements**

Proposals will include the following information:

- **Understanding of the Scope:** A written statement of our expected approach to the scope of work described in this RFP.
- **Overview of the Firm:** Provide a summary of the company background which demonstrates the firm’s experience as it relates to the scope of work described in this RFP.
- **Proposed Project Team:** Identify the Key Project Manager who will consult with the Team and Council. Describe the key Project Manager’s expertise and experience with other projects of similar scope.

Identify the other members of the Project Team who will work on the contract, together with their role and expertise. Include resumes for each member of the proposed Project Team.

- **Work Plan:** A full work plan and description of how the Consultant proposes to complete the work program including the methodology and a schedule noting milestones and completion dates. The schedule shall include the timing of presentations to Council, as well as the frequency of progress meetings with the Team.
- **Approach to Quality Work and Budget Control:** Describe the Project Manger’s approach to communicating with the Team working on the Municipal Comprehensive Review.
- **Experience and References:** Provide a summary of the Project Team’s successful completion of at least (3) projects of similar work completed for other municipalities. Provide three references for these people including contact names, phone numbers, and email addresses.
- **Billing Rates and Estimated Costs:** Provide a percentage breakdown of how much time each member of the Project Team (including support/clerical staff) will be assigned to completing the scope of work. Estimate the number of hours and specify the hourly consulting rates that would be involved by each member of the Project Team. For each task outlined in the Scope of Work provide an estimate of the total cost. Disbursements including the costs of printing and reproducing drawings and reports, travel, and accommodation costs, out of pocket expenses and all other expenses are to be identified. Include a flat fee for the cost of presenting to Council and Advisory Committees.
- **Upset Cost:** A total upset cost for the work outline in the proposal is to be provided inclusive of staff labour, disbursements, and anticipated expenses related to the project.
- **Other:** Identify any specific tasks, issues or opportunities not covered in the Scope of Work that may be necessary for the successful completion of the work.
- **Conflict of Interest:** A statement regarding potential conflict of interest.

## 5.0 Resources

Several Town, Regional and Provincial key strategies, plans and studies will provide reference for the new Municipal Plan and enabling bylaws. These include:

- [Municipal Government Act, as amended.](#)
- [Municipal Planning Strategy;](#)
- [Land Use Bylaw;](#)
- [Sub-division Bylaw;](#)
- [Integrated Community Sustainability Plan;](#)
- [Climate Change Action Plan;](#)
- [Downtown Blueprint Plan;](#)
- [Active Transportation Master Plan;](#)
- [Waterfront Action Plan;](#)
- [Accessibility Action Plan;](#)
- [Collins Heritage Conservation District Bylaw;](#)
- [Heritage Property Bylaw;](#)
- Yarmouth Housing Needs Report (DMAH)
- Western Nova Scotia MIT REAP Strategy;
- Western Nova Scotia Local Immigration Partnership Strategy;
- Western Region Investment Opportunities and Strategies;
- Western Region Energy Investment Plan.

It will be incumbent upon the successful proponent to work with Town Staff to ensure that the proposed Municipal Plan, land use and sub-division regulations reflect the vision and goals of the municipality.

## 6.0 Proposal Rated Criteria

Rated Criteria	Weighting (Points)
1. Completeness of Proposal	10
2. Approach to Scope of Work, Consultation and Communication including the introduction of innovative ideas, Quality and Schedule Control, and Budget Control	20
3. Qualifications of the Project Team: Project Manager's Role, experience and level of commitment and the Team's demonstration of expertise and familiarity with completing Comprehensive Update and Review of Municipal Plans of similar nature.	20
4. Schedule	15
5. Billing Rates & Estimated Cost	30
6. Interviews & References	5
Total Points:	100

## 7.0 Submission Timing

The following are important dates related to the overall process.

Activity	Date
Issue Date of RFP	Wednesday September 22 ,2023
Deadline for Questions	Wednesday October 13 ,2023
Proposal Submission Deadline	Friday October 27 ,2023 at 3:00 p.m. AST
Selection	November 2023
Council Meeting to Render Decision	November/December 2023
Project Start Date	January 2024
Project Completion	March 2026

## 8.0 Submission Instructions

The Town will receive sealed proposals by mail or hand-delivered from Proponents until 3:00 p.m. (local time) Friday October 27, 2023, addressed as follows:

**Town of Yarmouth**  
**RFD ID: RFP-2023-001-PLN**  
**Attn: Town Clerk**  
**400 Main Street,**  
**Yarmouth NS, B5A 1G2**

The Town of Yarmouth will not accept electronic submissions.

Proponents are required to submit one (1) completed original, four (4) separately bound copies and one (1) electronic copy (USB in PDF format). If there are any differences between the electronic copy of the proposal and the original hard copy, the original hard copy of the proposal, as submitted, will govern. The electronic copy of the proposal is for the convenience of the Town.

Failure to mark the subject line with the RFP ID could result in a proposal being rejected as late. It is solely the responsibility of each Proponent to ensure their Submission arrives on time. Late Submissions will not be accepted.

Proposals may be withdrawn at any time prior to opening.

Any submissions or addenda submitted by fax, or telephone, or email will not be accepted under any circumstances.

The Town reserves the right to accept or reject any or all proposals, or to accept any proposal which it may consider to be in the best interest of the Town. The Town also reserves the right to waive any formality, informality, or technicality in any proposal.

The Town reserves the right to request clarification and additional information.

All costs associated with the compilation and presentation of any and all proposals or any supplemental information requirements shall be borne solely by the Proponent.

The Proponent is responsible for obtaining any needed clarification of the RFP while it is open. Questions are to be directed in writing to: **Town Clerk** [admin@townofyarmouth.ca](mailto:admin@townofyarmouth.ca)

Email is the preferred method of contact. No verbal responses will be given. Only information received from the Town Clerk is considered valid and is to be used within the Proposal response.

This RFP is subject to applicable trade agreements, including, but not limited to the Canadian Free Trade Agreement and the Atlantic Procurement Agreement.

## **9.0 Terms and Conditions**

### **9.1 Governing Law**

Federal and Provincial laws shall govern the interpretation and performance of any agreement with the Town of Yarmouth regarding the Municipal Planning Strategy and Land Use Bylaw Review project. Any action brought to enforce any provision of an agreement shall be brought in the appropriate courts of the Province of Nova Scotia. The parties understand and expressly agree that any claims, demands, or actions asserted against the Town of Yarmouth, its agents and employees shall be brought only in the court system of the Province of Nova Scotia.

### **9.2 Municipal Planning Strategy, Land Use Bylaw and Sub-Division Bylaw Review Options**

This RFP creates no obligation on the part of the Town of Yarmouth to award the contract or to reimburse proponents for proposal preparation expenses. The Town of Yarmouth reserves the right to accept or reject any and all proposals, in whole or in part, received as a result of this request, and to negotiate in any manner necessary to best serve the interest of the project.

### **9.3 Sub-Contracting**

The proponent must document any intent to use other proponent(s) or private individual(s) as subcontractor(s) for any part or whole of the services they offer under this agreement. The Town reserves the right to approve or reject any subcontracting agent or reject proposals based on the use of subcontracted work if not in the best interest of the project. The proposal should document the justification for using the services of professionals other than those of the lead contractor.

#### 9.4 Disclosure / Confidentiality

The Town and submitting proponents will make every effort to maintain confidentiality relevant to submitted proposals and information provided for in this Solicitation process. News releases by a proponent pertaining to this RFP or any portion of the project shall not be made without prior written approval from the Town of Yarmouth. Violation of this requirement is deemed to be a valid reason for disqualification of the proponent. The proponent will also not initiate any publicity relating to this acquisition process before the selection decisions are final.

#### 9.5 Final Agreement

This Solicitation does not contain all terms and conditions necessary for conducting business with the Town of Yarmouth.

#### 9.6 Gratuities

The Town of Yarmouth may, by written notice to a proponent, cancel any contract if it is found by the Town of Yarmouth that gratuities, in the form of entertainment, gifts, or otherwise, were offered or given by the proponent, or the agent or representative of the proponent, to any employee or agent of the project with a view toward securing favorable treatment with respect to the awarding or amending, or making any determinations with respect to performing of such contract.

#### 9.7 Insurance and Workers Compensation

The undersigned is to carry and keep in force Public Liability Insurance in a form equivalent in terms of coverage to the industry standard Commercial General Liability for all services provided to and on behalf of the Town of Yarmouth and the amount of coverage shall be not less than two Million dollars (\$2,000,000.00) per occurrence and to indemnify and save harmless the Town in the event of any damages, suits or actions as a result of damages, injuries or accident done to or caused by him, or his employees or relating to the prosecution of the works or any of his operations or caused by reason of the existence or location or condition of any materials, plant or machinery used there on or therein, or which may happen by reason thereof, or arising from any failure, neglect or omission on his part, or on the part of any of his employees, to do or perform any or all of the several acts or things required to be done by him or them under and by these conditions, and covenants and agrees to hold the Town harmless and indemnified for all such damages and claims for damages. A copy of the Commercial General Liability Insurance (or certificate of insurance) covering the legal liability of the submitter for injuries to, or death of, persons and/or damage to property of others for limits of not less than two million dollars (\$2,000,000.00) per occurrence for bodily injury and property damage with an insurer and in a form satisfactory to the Town will be furnished. Such insurance shall have the Town as a named insured and shall contain cross liability coverage and preclude subrogation by the insured against the City.

The undersigned is to carry and keep in force Professional Liability Insurance in an amount not less than \$2,000,000 providing coverage for acts, errors and omissions arising from their professional services performed under this agreement. The policy self-insured retention / deductible shall not exceed \$10,000 per claim and if the policy has an aggregate limit, the amount of the aggregate limit shall be double the required per claim limit. The policy shall be underwritten by a company licensed to conduct business in the Province of Nova Scotia and be acceptable to the Town. The policy shall be renewed for 3 years after contract termination. A certificate of insurance evidencing renewal will be provided for each and every year.