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## REQUEST FOR PROPOSALS

### Introduction

The Center for Planning Excellence (CPEX) is soliciting Request for Proposals (RFP) from consultant teams for the creation of model regulations for coastal and riverine development in Louisiana. Specifically, CPEX requests that the selected consultant draft model natural resource protection and hazard mitigation land development regulations, which will become a part of the Louisiana Land Use Toolkit ([www.landusetoolkit.com](http://www.landusetoolkit.com)). The model regulations should provide a complete set of ordinances for residential and commercial development in Louisiana coastal zone and riverine communities. The model regulations should be innovative and flexible, and should be user-friendly and easily and affordably administered in areas with limited local planning and administrative capacity.

The regulations should reflect Smart Growth principles—mixed uses, housing and transportation choices, certainty, fiscal responsibility, open space preservation—and must be consistent with the Louisiana Speaks Regional Plan ([www.planningexcellence.org](http://www.planningexcellence.org)). These natural resource protection and hazard mitigation regulations must be compatible with the Louisiana Land Use Toolkit and be consistent with the structure and format of the Toolkit so that they fit into the Toolkit seamlessly and can be implemented in Louisiana communities concurrent with implementation of the Land Use Toolkit.

The project budget is \$130,000 for both the development of the regulations and implementation in two communities.

### Background: Planning in Louisiana, Before and Since the Hurricanes of 2005

As outlined in [Offshore Petroleum Development and the Comprehensive Planning Process](#), Louisiana's history demonstrates little coordinated planning efforts and a marked lack of planning capacity, particularly at the local level (<http://www.gomr.mms.gov/PI/PDFimages/ESPIS/3/3633.pdf>). Louisiana does not have a state entity that assists or coordinates communities undergoing comprehensive planning processes, nor do the majority of jurisdictions have planning staff. Additionally, many Parishes do not have zoning ordinances, and those that do typically have outdated zoning with language dating back to the 1940s. This lack of planning and planning capacity throughout the state has contributed to haphazard development patterns, urban disinvestment, environmental degradation, and exposure to impacts from natural disaster hazards.

After the hurricanes of 2005, extreme population shifts occurred and many smaller jurisdictions exceeded their 20-year growth forecast in a matter of days. Suddenly small communities were experiencing growth impacts such as traffic congestion, housing demand and infrastructure costs without a planning framework in place to address these growth issues. When FEMA emergency response teams began to work on restoring communities, they found few existing plans available to use as a base to establish a unified vision for rebuilding. Most parishes did not even have the required hazard mitigation plans.

Following the hurricanes of 2005 the need for planning resources in Louisiana was unprecedented, yet there was no single resource to ensure that citizens, developers, and leaders had access to the best information necessary to make strategic planning decisions that affect the future of Louisiana families, businesses, and communities. CPEX was created and stepped in to fill this gap in Louisiana. Since then, in cooperation with and using funding provided by Louisiana Economic Development, U.S. Housing and

Urban Development, and the National Association of Realtors, CPEX has sponsored the preparation of a series of model regulations (Louisiana Land Use Toolkit) to be promoted across the state for use in communities both large and small. The Land Use Toolkit is intended to serve as a first resource for communities desiring to improve their approach to a variety of challenges created by human settlement. The Land Use Toolkit reflects smart growth practices and supports the Louisiana Speaks Regional Vision, which was developed in cooperation with Louisiana's Master Plan for a Sustainable Coast.

During early stakeholder discussions throughout the State, the need for improved tools in the coastal and riverine areas was expressed clearly and often. To meet this need, the Coastal Protection and Restoration Authority (CPRA) has entered into a cooperative endeavor agreement with CPEX for the creation of a best practice manual for coastal and riverine development, as well as model regulations and toolkit implementation in two coastal communities.

The coastal regulations in the Land Use Toolkit should include natural hazard mitigation and natural resource protection ordinances as they relate to coastal and riverine communities in Louisiana. Recognizing Louisiana's unique landscape and challenges, and need to integrate planning and engineering practices, ordinances that are targeted to Louisiana's specific coastal and river environments are needed to guide desired development patterns. Louisiana hosts the largest delta system in North America and one of the largest in the world. With this comes many challenges for creating model regulations for communities that are already at risk of erosion, subsidence, sea level rise, and natural hazards such as hurricanes. The regulations must ensure that new development patterns reduce risks. Additionally, the regulations must incorporate a variety of tools for communities along the entire coast living within the delta system, including providing tools for communities inhabiting the cheniers in southwest Louisiana. Accomplishing this task requires a sophisticated approach, combining best practices available from the planning and urban design profession with those of coastal engineers and scientists. Cooperation by the CPRA and CPEX will allow this needed coastal-focused planning work to build on and mesh with ongoing statewide efforts.

The CPRA is in the process of implementing a program entitled [\*Integrated Ecosystem Restoration and Hurricane Protection: Louisiana's Comprehensive Master Plan for a Sustainable Coast\*](#) – the Master Plan for Coastal Restoration and Hurricane Protection for the State of Louisiana. This Master Plan identified the need for appropriate land use planning to help achieve the goals of sustaining wetland ecosystems and reducing the flooding risk borne by coastal communities. The development of coast-wide model regulations supports the goals of the Master Plan and will assist the State of Louisiana in its endeavor. These activities may help the State in reducing economic losses from storm-based flooding to residential, public, industrial and commercial infrastructure, promoting a sustainable coastal ecosystem, providing habitats suitable to support an array of commercial and recreational activities coast-wide, and sustaining the unique heritage of coastal Louisiana by protecting historic properties and traditional living cultures, and their ties and relationships to the natural environment.

### **Coordination of Coastal Projects**

In addition to these coastal ordinances, CPEX is sponsoring several other projects that will be conducted concurrently under separate contracts. The consultant preparing the coastal ordinances will work closely with the teams working on the following projects:

- A coastal best practices manual that identifies local, state, national and international best practices for guiding development in coastal areas
- A coastal parish Comprehensive Plan
- Two coastal municipal Comprehensive Plans

CPEX staff will work with the Consultant Team to facilitate the entire process. It is anticipated that the consultant will work closely with the team conducting the Best Practices Manual and the coastal plans. Consultants will also interface with a working committee(s) comprised of local officials, planners, lawyers, key state agency officials, scientists and potential end-users to receive feedback during the ordinance drafting process. The teams will work cooperatively to craft documents that are compatible

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and consistent with each other so that the best practices work and the comprehensive plans inform the preparation of the coastal ordinances as well as their implementation in two communities.

### **Deliverables**

These model coastal and riverine regulations should be drafted utilizing best practices research that is currently being conducted under a separate contract and will be available to the successful applicant. The ordinances should be designed so that communities and parishes, whether located in a delta, chenier, or riverine area, will be able to freely utilize any portion of the model regulations—“cafeteria-style”—and to tailor them to address unique situations and conditions. Communities should also be able to adopt the ordinances along with the Land Use Toolkit as part of a unified development code (UDC). CPEX therefore expects the deliverables to approximate the following:

#### **1. The Ordinances**

- The ordinances should fit into the Louisiana Land Use Toolkit seamlessly.
- The ordinances should also be structured as a web-based document and also be integrated as part of a UDC that can easily be accessed and downloaded. Ordinances will be made available on CPRA, LED, CPEX, LRA, and Louisiana Speaks websites, as well as others.
- The coastal regulations will focus on natural resource protection and hazard mitigation as well as setting appropriate standards for development located along the coastal zone.
  - The ordinances should have components that address the unique conditions of coastal Louisiana. At a minimum the regulations will include:
    - Hazard Mitigation/ Natural Resource Protection
      - Floodplain and Flood Damage Prevention Standards
      - Open Space Standards
      - Resource Extraction Standards
      - Steep Slope Standards
      - Stormwater Management Standards
      - Stream Buffer Standards
      - Tree Protection Standards
      - Water Supply Reservoir Buffer Standards
      - Watershed Protection Overlay
      - Wetland Standards
  - Some of these typical components may not be applicable to all of Louisiana, or differ dramatically in eastern and western coastal Louisiana, dependent on the landscape. Using this list as a starting point, a tailored, customized module set would be developed specifically taking into account Louisiana’s unique landscape and settlement patterns. These standards are intended to answer the question of how to build at various levels in the coast taking into account specific coastal issues including subsidence, flooding, storm surge, wind damage, and land loss.
    - Houses and multifamily
    - Residential subdivisions
    - Village, town, city (commercial plus residential)
    - Critical infrastructure

The model regulations provision may include the following:

- Alternative form standards for building types in coastal environments (elevated houses, etc.)

- Supplemental subdivision infrastructure and design standards for coastal environments.
- The ordinances should be annotated with graphics and images to illustrate how the coastal ordinances can be modified to fit in varying conditions and communities.

## 2. Implementation and Administration Guidance Materials

- Supporting materials should include a "how-to" guide that provides the jurisdictions with a methodology for implementation/adoption, including guidance on how a municipality or parish would adapt and adopt the hazard mitigation and natural resource protection regulations. This guide will be usable by communities with limited local planning or implementation capacity as well as those with sophisticated planning structures in place.
- Materials will provide basic guidance on administration of the adopted coastal elements, including recommended permitting structures, identifying review agencies and methodologies, appeals and variance processes, etc.
- Materials should include a selection of case studies showing in map and graphic form how a municipality or parish could implement the ordinances.

## 3. Communications Materials

- The selected consultant should provide a PowerPoint presentation that CPEX and others can use during the process to educate possible end-users on the model coastal regulations.

## 4. Direct Implementation

- The consultant will work with two communities to directly implement the toolkit, specifically the model coastal and riverine regulations. CPEX will coordinate the selection of the two communities and assemble a "code committee" in each community. Communities selected will have a comprehensive land use plan in place.

### Deadline for Submission

Proposals should be received at the Center for Planning Excellence no later than **Friday, February 12, 2010 by 4:00 p.m.** CST. Packages should be mailed or delivered to: Center for Planning Excellence, Attn: Camille Manning-Broome, Director of Planning, 402 N. Fourth Street, Baton Rouge, LA 70802.

### Submission Requirements

Applicants should submit five identical copies of a thoughtful, clear and well-organized proposal package that includes the components listed below. Expenses incurred by the respondents in replying to the RFP are at the respondents' own expense and risk.

#### 1. Proposed Scope of Services, including the following items.

- **Methodology:** Please describe how you are going to tackle the project to create effective model regulations for providing diverse and culturally engrained coastal and riverine communities in Louisiana with a set of land development regulations that are easily administered and that can be effectively used in areas with little local planning capacity. Also include your methodology for "road-testing" the regulations to make sure the regulations achieve the ends they promote, are user-friendly to both developers and administrators, can either be tailored to a municipality's existing zoning and master plan or adopted *in toto* as part of the Land Use Toolkit, and is consistent with Louisiana law.
- **Deliverables:** Please provide a detailed description.
- **Approach:** Please describe your philosophy for making the regulations meaningful enough to be a usable tool on the ground, yet generic enough to be relevant to a wide variety of coastal and riverine places.
- **Creativity:** As there is no set scope, please be creative in laying out a plan of action.

#### 2. Selection Criteria. Address each of the Selection Criteria listed below.



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### 3. Proposed Timeline and Fee Schedule.

- **Timeline** (Draft regulations must be completed within 13 months and direct implementation shall be completed within 17 months of contract start date.)
- **Projected Budget** for the creation of the model regulations and implementation in two communities.

### 4. Key Team Member Resumes.

- Please tell us which team members have the following responsibilities:
  - (1) principal-in-charge,
  - (2) project manager and point-of-contact,
  - (3) key personal outlining specific duties, and
  - (4) names of those authoring and reviewing the ordinances and deliverables.

### 5. Project Examples

- Please provide two examples of your best and most illustrative code work that might be comparable to this project.
- Demonstrate where you worked in unique environments that have both challenging historical and cultural land development pattern, and geographic limitations.
- This may be in the form of a paper document, CD-ROM, or web link.

### 6. Acknowledgements/Statements

- A written statement acknowledging that the regulations you deliver will be a free resource to all communities and therefore not proprietary.
- A written statement indicating whether your firm's current or proposed employees are or have been in the past five years under Investigation or review by any Governmental Authority or similar agency. If there is any investigation or review, provide detailed information regarding the process. (Note that "Governmental Authority" means any domestic or foreign national, super national, regional, state or local government, any political subdivision thereof or any other governmental, quasi-governmental, regulatory, administrative, judicial, public or statutory instrumentality, authority, body, agency, court, department, bureau or entity.)

### Point-of-Contact

Respondents shall restrict all contact and questions regarding this RFP and selection process to the individual named herein. Questions concerning terms, conditions and technical specifications shall be directed in writing to: Center for Planning Excellence, Attn: Camille Manning-Broome, Director of Planning, 402 N. Fourth Street, Baton Rouge, LA 70802 OR via email at [Camille@c-pex.org](mailto:Camille@c-pex.org) (preferred).

Respondents and their agents are strictly prohibited from lobbying employees or board members of any Louisiana state agency or entity, CPEX staff and board, the Baton Rouge Area Foundation staff and board, or anyone connected to this RFP at any stage in the application and selection process. Failure to comply with this clause shall be grounds for rejection of their RFP as non-responsive.

### Budget

CPEX has allocated \$130,000.00 for the development and implementation of the regulations. This will be paid to a selected Consultant to cover all travel and project-related expenses.

## Proposal Reviews/Selection

A panel of experts in areas including legal, land use, coastal, and Smart Growth principles will review the proposals and make a recommendation to CPEX.

Consideration is expected to be given, but is not guaranteed to be given, to the criteria listed below. CPEX reserves the right to reject any and all proposals, to waive any and all formalities outlined in the RFP and in the selection process and generally to make the award that in its judgment, will best meet the objectives stated in this RFP.

Upon notification of selection by the Review Committee, the successful respondent is required to execute and deliver a contract within two weeks of notification. If the successful respondent is unwilling or unable to execute the agreement as required by the RFP, CPEX has the right to request another respondent to enter into the contract with CPEX.

All dates in the RFP are subject to change at the discretion of CPEX, and notice of any changes will be provided to all respondents.

## Selection Criteria

- **Qualification of Team.** Particular attention will be given to teams with the following: team make-up including an AICP planner and/or a land use attorney; extensive experience in authoring codes that employ smart growth principals (please list the number of codes authored by key personal); experience in developing regulations for coastal and riverine areas.
- **Specialized Experience.** Code projects that incorporate urban, suburban and especially rural areas; code projects involving water conservation and preservation of wetlands, bayous and/or marshes; experience working in hazard-prone areas; experience working at multi-jurisdictional scales; and the ability to work effectively with parallel on-going planning processes.
- **Record of Implementation Ability.** Experience in public participation processes to build constituency for implementation; developing plans and implementation tools and techniques intended to achieve the goals and objectives of plans; past code adoption.
- **Effective Outreach.** Clear demonstration of prior experience conducting effective outreach to a diverse stakeholders and elected and appointed officials.
- **Quality of Performance History.** Demonstration of effective cost control, work quality, adherence to schedules/deadlines.
- **Louisiana Experience/Knowledge.** Knowledge of key planning issues and influences impacting Louisiana and its parishes.