

**Borough of Wilkinsburg  
REQUEST FOR PROPOSALS**

**Updating Wilkinsburg's Zoning Ordinance and Zoning Map**

**RFP Release Date: June 15, 2011**

**Proposal Due Date: July 15, 2011**

Borough of Wilkinsburg: Marla P. Marcinko, Borough Manager  
605 Ross Ave  
Wilkinsburg, PA 15221

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**1. GENERAL INFORMATION**

**1.1 Purpose of this Request for Proposals**

The Borough of Wilkinsburg (Borough), through this Request for Proposals (RFP), is seeking a qualified consultant firm, who demonstrates the capability and proven experience of providing professional planning and zoning services, to undertake the updating of the Borough's zoning ordinance and zoning map. The Borough seeks a qualified consultant that can integrate the recommendations of the Borough's adopted Comprehensive Plan (September 2010) Business District Revitalization Plan (2010) with its more detailed neighborhood and special area plans into a rewritten code, while advancing Land Use Planning and Technical Assistance Program objectives, .

**1.2 Background Information**

The Borough's current zoning ordinance was last updated in 2002 and does not always reflect best zoning and planning practices.

Located immediately adjacent to the eastern neighborhoods of the City of Pittsburgh in southwestern Pennsylvania, the Borough of Wilkinsburg is currently home to an estimated 18,000 residents.

At one point during the 1950's, the 2.3-square-mile Borough was the most densely populated borough in the country, with a population reported at 31,418 in the 1950 census. By the 2000 census, the population had declined to 19,196 and was estimated to be closer to 18,000 by 2008. Even with the population decline, the Borough continues to have one of the highest population densities in Allegheny County, with approximately 8,335 people per square mile.

The Borough has not stood idly by over the last decade and watched this decline occur without trying to reverse the trends. The Borough has actively engaged in planning efforts aimed at reversing trends and creating a brighter future for the community. A significant planning effort was just completed in September 2010 which combined the traditional comprehensive planning process with a more in-depth business district revitalization plan and the DCED Early Intervention Program, resulting in the *Wilkesburg Plan* (the *Plan*). Each component of the planning effort has its own plan document; however, all of the recommendations, strategies, and actions are interrelated and brought together in the *Plan*.

It is within this environment that the planning process takes place and is proposed to advance to the next logical step, with a complete revision to the Borough's zoning ordinance. One of the recommendations from the *Plan* was that the current ordinance is out of date and should be updated in order to advance the goals of the *Plan*. The Borough also worked with Sustainable Pittsburgh in a parallel planning process that built on and enhanced the goals of the *Plan*. The Borough wishes to use the energy and momentum from the previous planning process to implement and advance the community goals through the update of the Borough's zoning ordinance and map.

During the course of the project, the Consultant shall work with elected and appointed officials, Borough boards, commissions and committees, Borough staff, and the general public. The Consultant will be required to develop a public participation process that actively engages the aforementioned groups throughout the zoning ordinance revision process, while meeting the project's budget and timeline.

## **2. PROJECT REQUIREMENTS**

### **2.1 Project Objectives**

The updated ordinance will advance the following Land Use Planning and Technical Assistance Program (LUPTAP) objectives as well as the following project objectives:

#### ***LUPTAP Program Objectives***

##### **A. Intergovernmental Cooperation**

Over the past two years, the Borough of Wilkesburg has worked with various groups to establish a consensus at all levels of government and among community groups. During the previous planning process, the Borough used an extensive outreach process that included six neighborhood meetings and a week-long charrette. Hundreds of citizens, business leaders, and government officials participated in visioning sessions and completed follow-up electronic surveys that focused on creating their ideal community. The community was fully

engaged and continues to show a high level of participation for moving toward a more sustainable future.

## **B. Revitalize Pennsylvania's Cities**

The proposed zoning ordinance will help to revitalize the Borough of Wilkesburg through the implementation of recommendations made in the *Plan*. The *Plan* recommends a Transit-Oriented Development (TOD) strategy that could be very attractive to commuters and urban pioneers and could create the demand for more dense residential options within the TOD. Dense residential districts, in turn, create the basis for and support a vibrant business district. The key recommendations from the *Plan* that relate to the preservation of Wilkesburg as a sustainable urban area are as follows:

- DISCONTINUE THE PRACTICE OF ALLOWING CONVERSION OF SINGLE-FAMILY DWELLINGS INTO MULTIPLE UNITS IN ALL ZONING DISTRICTS
- CREATE A CENTRAL BUSINESS DISTRICT (CBD) ZONING CLASSIFICATION TO ELIMINATE CONFLICTS AMONG CURRENT COMMERCIAL AREA OBJECTIVES
- CREATE A COMMERCIAL CLASSIFICATION AROUND AND NEAR THE PARKWAY AND ALONG NORTH ROBINSON IN THE VICINITY OF THE PROPOSED EAST HILLS SHOPPING CENTER TO SUPPORT MORE AUTO-ORIENTED COMMERCIAL DEVELOPMENT
- INCREASE TOD OVERLAY DISTRICT AREAS AS IDENTIFIED IN THE FUTURE LAND USE MAP IN THE *PLAN* AND CREATE REALISTIC AND CONSISTENT REGULATIONS FOR THE TOD
- CREATE A TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) OVERLAY DISTRICT EAST OF CENTER AVENUE ALLOWING FOR THE TRANSITION OF THIS AREA AS A MIXED-USE DISTRICT SUPPORTIVE OF THE CBD AND TO PRESERVE THE CHARACTER AND INTEGRITY OF THE ADJACENT NEIGHBORHOODS

## **C. Conserving Undeveloped Land**

The Borough of Wilkesburg is almost completely built out, so there is little undeveloped land. The *Plan* does have a strategy that calls for the identification of opportunities for open space, parks, and conservation areas to increase the attractiveness of the neighborhood and to create, preserve, and protect open space. Because the Borough's population is about half of what it was 50 years ago, there is an opportunity to plan for lower density and greener designs. Specifically, the Borough has hundreds of vacant lots and also lots with dilapidated and unsafe structures that are targeted for demolition. The *Plan* calls for the redevelopment of residential sites through acquisition, demolition, and a "greening" strategy. Through this method, the neighborhoods will be redesigned

to include open spaces and greenways that were not a part of the original design of the community at the turn of the century. As a result, the Borough will provide new opportunities for urban living in a more sustainable environment.

Park space will be identified and strategies identified to link parks to neighborhoods in an effort to promote usage by residents and pedestrian circulation around the Borough.

#### **D. Reduce Sprawl**

The term “sprawl” suggests stretching in an ungraceful or unnatural manner, which is exactly the opposite of what is happening in the Borough of Wilkinsburg. The only development that can occur in the Borough is actually the redevelopment of existing properties. The focused redevelopment of Wilkinsburg as an urban space in a strategic location adjacent to Pittsburgh neighborhoods provides alternatives to green-space development and encourages the reuse of existing developed areas. The proposed zoning ordinance and zoning map will bring structure to this process through the creation of various zoning districts and overlay zones and will actually control the development.

#### **E. Advanced Planning Techniques**

One of Wilkinsburg’s greatest assets is the east busway, which currently has regular stops at three stations in the Borough: one at the Wilkinsburg Station, one at Hay Street, and one at Hamnett Station. The Port Authority of Allegheny County (the Port Authority) has made significant investment in park-and-ride facilities at two of the stations, with 730 spaces available at the Wilkinsburg Station (located near Wallace Avenue and Pitt Street) and 128 spaces available at Hamnett Station (near Center and Ramsey Streets). While parking availability may provide increased ridership for public transit, Wilkinsburg has not been able to take advantage of the opportunities presented by this asset because it is focused on park-and-ride and not on pedestrian linkages. As sustainability becomes more central to land use planning, providing options for growth areas around transit stations is becoming central to sustainable planning. The typical focus area around transit stops is an approximate quarter-mile radius around the stop because of the pedestrian use. However, without the proper connections and linkages, there continue to be significant barriers for residents.

Typical components of TOD areas include high-density residential with a mix of commercial, entertainment, civic, and cultural uses that provide for the convenience of the pedestrian-oriented resident. A common strategy to encourage development density with a mix of uses to support TOD is the inclusion of TND overlay districts in TOD focus areas. The regulatory nature of

these overlay districts is typically form-based to allow for a diverse mix of uses and densities.

The proposed zoning ordinance will include the use of TOD designations in addition to form-based TND. These design concepts will preserve the integrity and vitality of the mixed-use areas adjacent to the CBD and the adjacent neighborhoods by including a higher density and a range of complementary uses.

## F. Economic Development Strategies

- **Brownfield Reuse.** This project is not specifically a brownfield project, but will take into account the possible reuse of small brownfield areas. By providing for the reuse of large commercial tracts and smaller vacant areas, the zoning project will include land regulations that invite and encourage redevelopment of existing places in a thoughtful and sustainable manner.
- **Infill Development.** Infill development sites are best characterized as neglected public spaces and clusters of vacant or nearly empty buildings and land. Over time, these sites can obstruct community development plans and threaten neighborhood stability and growth. In order to address the infill development problem in Wilkinsburg, it is necessary to leverage existing assets, rethink the use of older spaces, and address the practical concerns of specific sites and the neighborhoods around them. Infill development strategies are specifically recommended for the Princeton Park area, among others that are identified. The use of acquisition, demolition, and greening strategies are specifically recommended. This could be accomplished through land banking, a strategy for acquiring land today, stabilizing it, and holding it for future use. Land-banked properties can be used for parks, open space, or community gardens. This project will take into account the need for an infill strategy as outlined in the *Plan*. It will also develop appropriate bulk and area regulations for implementing the infill development strategies.
- **Infrastructure Improvement** - As the Borough is completely developed, the infrastructure is already in place. However, the *Plan* does call for infrastructure improvements that need to be made to support and preserve strong and healthy neighborhoods. Neighborhoods in the northeast portion of Wilkinsburg consist primarily of low-density, single-family dwellings, with five of the Borough's eight arterial roadways located in this area. Two neighborhoods were identified in this portion of the Borough as focus areas for infrastructure improvements.

**PARK TRIANGLE AND LAKETON** – Much like the corridor strategies described above, infrastructure strategies in these areas should be focused on improving the structure, functionality, and appearance of the roadways. Residents who participated in the neighborhood meetings cited the condition of streets in these areas as primary concerns. Many of the streets in these neighborhoods are brick, and their uneven surfaces sometimes create impediments to vehicular circulation. Near-term strategies should include fixing local streets to improve appearance and circulation, building curbs and sidewalks, and performing other streetscape enhancements that will add to the attractiveness of the area

Focusing investment in these areas will improve Wilkinsburg's image and enhance its attractiveness as a place to live. Improvements to arterial streets will be the focus for beautification and efficient traffic flow, while improvements to collector and local streets will focus on beautification and traffic calming.

- **Healthy Lifestyle** - Where at all possible, the project will identify public and private recreational uses designed to promote healthy, active lifestyles. Design standards will encourage pedestrian linkages through curbs and sidewalks, streetlights, street trees, and other items that will promote walkable neighborhoods. It will also identify greenways within the Borough and opportunities for the development of urban trails that provide connections to neighborhoods, parks, and the CBD.

#### **G. Improve Quality of Life**

The *Plan* identifies strong code enforcement, open space, parks, and conservation areas as ways to encourage redevelopment and improve the quality of life. This project will take these items into account when creating zoning districts.

#### **H. Agricultural Land Preservation**

The Borough of Wilkinsburg is an urban area that contains no agricultural areas or the need for any agricultural easements.

#### **I. Conservation of Resource Areas**

The Borough of Wilkinsburg is a fully developed urban community but, over the years, has developed strategies to preserve and protect parks and conservation areas. Access to parks and recreational space can enhance an area's quality of life. Parks benefit individuals by providing an area for recreation and exercise, benefit communities by establishing an understood location for events and

activities, and benefit the economy by providing amenities that attract businesses and the young professional workforce. Wilkinsburg parks offer something for all age groups; their presence is a cohesive force. They offer a multitude of opportunities to engage in active and passive recreation, such as the arts, music, cultural, and historic events. The 2001 Wilkinsburg Recreation Plan lists 14 parks and recreational areas scattered throughout the Borough. Whitney Recreation Area and Hunter Recreation Area are the two community parks, and there are eight neighborhood parks and four special-use facilities.

The proposed zoning ordinance and map will identify the park and recreation areas and explore the availability of expanded park areas and open space as housing stock is reduced and the number of available vacant lots increases.

Wilkinsburg is located at the headwaters of the Nine Mile Run Watershed, and therefore, circumstances in the Borough have a significant impact on environmental conditions downstream. Borough officials consider the watershed in developing plans and policies. As new zoning and subdivision ordinances are considered, Borough officials will continue to seek input from the Nine Mile Run Watershed Association to ensure that its policies provide for maximum environmental sustainability.

#### **J. Maintaining Greenways**

This project will continue to recognize the existing parks and recreational facilities within the Borough and examine the possibility of creating new open space. Allegheny Places, the Allegheny County comprehensive planning document, will also be reviewed in order to maintain consistency between the County and the Borough.

#### **K. Preserve Pennsylvania's Heritage**

In the late 1700s, the area that would later become the Borough of Wilkinsburg was settled by European settlers. After a time spent as a village and a part of the City of Pittsburgh, residents decided to create a formal local government for the area. The Borough of Wilkinsburg was incorporated on October 5, 1887. Wilkinsburg has many historic properties, including a large concentration of churches, many of which are located in the business district. The historic nature of Wilkinsburg gives the area a distinct character; however, historic buildings demand maintenance and often require costly repairs to ensure their stability and historic integrity. Many of the historic buildings in the Borough have fallen into disrepair. Reinvestment in many of these buildings could be so costly that there would be little to no return on investment for many years. Strategies and standards will be considered during the development of the zoning ordinance and

map in order to evaluate, identify, and prioritize structures for preservation, and to evaluate ways to leverage these resources as catalysts for revitalization.

The adopted *Plan* recommends that the business district will be a traditional, historic, attractive, and walkable main street commercial center. This project will provide the tools to meet these objectives.

#### **L. Promote Planning Education**

The recently completed *Plan* was the result of participation from the public and private sector, as well as substantial input from the public. This project will seek input from the public as required by the Municipalities Planning Code, and will provide training updates for Planning Commission, Zoning Hearing Board members and Borough staff.

#### **Pennsylvania Municipalities Planning Code**

This project will follow the requirements of Article VI of the Pennsylvania Municipalities Planning Code (MPC), including the statement of objectives, zoning classifications, zoning purposes, county review, etc. The project will also take into account the numerous amendments that have been made to the MPC over the years, and will ensure that the amendments are reflected in the final work product.

#### **Citizen Participation Plan**

As previously mentioned, there was broad public and private participation in the development of the *Wilkesburg Plan*. The Borough Planning Commission will act as the Steering Committee throughout the zoning update process, and will discuss issues at their public meetings. The public will be encouraged to participate and offer comments at these meetings. Once a draft of the ordinance is completed, it will be reviewed by the Planning Commission at a public meeting. In addition, as required by the MPC, the Borough Council will hold a public hearing prior to considering the adoption of the new ordinance and map.

#### **Partnerships**

As mentioned previously, the following are some of the groups and individuals who were involved in the process and will continue to be involved in the advancement of the *Plan* goals:

- The Borough Council and Mayor
- The Planning Commission
- The Wilkesburg Community Development Corporation
- The School District officials
- The Chamber of Commerce
- The Recreation Committees

- Block Clubs and Boys and Girls Clubs
- The Ministerial Alliance
- Hosanna House (the local social services support agency)
- Three Rivers Council for Independent Living
- Nine Mile Run
- Sustainable Pittsburgh
- Allegheny County Department of Development
- Representative Joseph Preston
- Senator Jim Ferlo
- Representatives from Congressman Doyle's Office

### **Intergovernmental Cooperation**

Over the past eight or nine years, the Borough of Wilkinsburg has been building support for the project with Allegheny County executives, the Governor's Action Team, the Wilkinsburg Community Development Corporation, the state and federal representatives, and local officials. The Borough has built consensus at each level of government – federal, state, region, county, and local. A list of people involved with the project is discussed in the narrative.

### **Commonwealth Law Consistency**

As this project develops, it will do so in accordance with Commonwealth laws such as Act 166, the Pennsylvania Flood Plain Management Act, Act 537, the Pennsylvania Sewage Facilities Act, and other applicable laws. If environmental issues arise during the planning process, they will be addressed according to the law.

### **Comprehensive Plan Consistency**

The Borough of Wilkinsburg's Comprehensive Plan contains a section entitled "Priority Goals, Objectives and Strategies." Many of the high-priority strategies contained in the plan identify changes that will be made to the existing zoning ordinance. A few of the many specific strategies in the Comprehensive Plan that will be implemented in the zoning ordinance include the following:

- Code enforcement through the use of zoning and occupancy permits
- Transit-Oriented-Development (TOD) objectives that maximize appropriate development at public transit stations
- Form-based Traditional Neighborhood Development (TND)
- Preservation of parks, recreation, greenways, urban trails, and open space
- Sustainable land use practices
- Redevelopment strategies that include infill development, corridor planning, and Central Business District (CBD) focus

- Signage regulations
- Residential density strategies
- Practical area & bulk regulations, especially in mixed-use development
- Restrictions on the conversions of single-family

## **2.2 Anticipated Tasks and Services**

The successful Consultant is expected to perform many tasks including, but not limited to, the following:

### **Task 1 – Background Material**

The Consultant will pull together information from the recently adopted Comprehensive Plan. The sections on current land use, future land use, and the future land use map are keys to this project.

### **Task 2 – Stakeholder Meetings**

Throughout the process of developing the zoning ordinance, the Consultant will meet with the following Borough officials as necessary to discuss the current zoning regulations as well as the parameters for the rewrite of the zoning ordinance:

- Borough Manager
- Borough staff
- Borough Council
- Zoning/Codes Officer
- Zoning Hearing Board
- Planning Commission

### **Task 3 – Develop Draft Zoning Ordinance**

The Consultant will draft all zoning ordinance sections considering the best practices in land use and zoning from Pennsylvania and across the country. The draft ordinance will reflect the latest changes in land use law in the Commonwealth of Pennsylvania (e.g., *Huntley vs. the Borough of Oakmont* – 2009) as well as meet all Pennsylvania Municipalities Planning Code (MPC) requirements. The process of developing a zoning ordinance can be an overwhelming task for communities, as there are a significant number of policy-related decisions that must be considered. It is important during the process of drafting the ordinance to divide the ordinance and policy considerations into manageable pieces so that thoughtful and careful consideration is given to important issues. The Consultant's approach to developing the zoning ordinance will be to separate the process into a series of smaller, manageable subtasks that will be reviewed and thoroughly evaluated by their team and by the Borough.

The subtasks will address all the major sections of the zoning ordinance and will include but are not limited to the following:

***Definitions***

The definition section of the zoning ordinance will be reviewed to ensure that keywords are consistent with the MPC and current land use law. The Consultant will work with the Borough to ensure that all applicable definitions are contained within the ordinance.

***Number and Type of Zoning Districts***

The “Future Land Use” section of the Borough’s Comprehensive Plan already contains suggested changes to the zoning districts and the zoning map. This material will be used as a starting point for this activity.

***Zoning District Regulations***

The Consultant will work with the Borough to determine the appropriate uses to be permitted in each district as well as how uses will be allowed (i.e., by right, special exception, or conditional use) in addition to any special conditions that may be warranted.

***Bulk and Area Requirements***

Bulk and area requirements such as setbacks, lot sizes, building heights, etc., are important in controlling the character and impact of uses upon one another and the community. The Consultant will work with the Borough to identify the appropriate bulk and area requirements given the existing character of the community and its goals for the future.

***Parking Requirements***

The Consultant will assist the Borough in developing the appropriate parking standard for uses using national standards such as the Urban Land Institute parking standards.

***Planned Residential Development (PRD)***

PRD is a tool that the MPC allows for use by municipalities. It typically allows for a more flexible alternative to traditional residential development. The Consultant will assist the Borough in determining the appropriate use and circumstances when this tool may be used.

***Traditional Neighborhood Development (TND)***

TND is a progressive and emerging planning tool designed to increase connectedness, interaction, and mobility within a community while preserving the surrounding land and open spaces. TNDs are developed with a compatible combination of both residential and commercial development, in which residences, shops, offices, public buildings, and parks are established in relatively close proximity to each other. Distinctly different than high-density housing, traditional neighborhoods create a sense of place and community

while eliminating many negative aspects often associated with high-density developments. While Pennsylvania's developments have traditionally grown in a way that separates uses, a comprehensive design that incorporates all of these features is an attractive alternative to growth patterns. The Pennsylvania MPC enables municipalities to incorporate this tool into their ordinances in order to provide an option for development.

### ***Transit-Oriented Development (TOD)***

TODs are similar in many ways to TNDs. The TOD encourages higher densities around transit and encourages pedestrian mobility, as opposed to vehicular mobility, by strategically placing amenities and services within walking distance of residential space.

### ***Signage***

Based on existing conditions and the objectives of the community, the Consultant will draft signage provisions for consideration in the Borough by first determining the goals of the signage provisions. The Consultant will approach the signage section of the plan by first coming to a common understanding of the purpose of signage (i.e., is signage for the purposes of identification or advertisement?).

### ***Zoning Hearing Board and Other Administrative Procedures***

These sections will be drafted to make clear administrative requirements for the Zoning Hearing Board as well as other administrative provisions such as zoning amendment requests, zoning approvals, and application procedures. The Consultant will ensure that all provisions are consistent with the MPC and municipal law.

### ***Special Exceptions and Conditional Uses***

Special exceptions and conditional uses are methods by which uses may be approved in the Borough. The Consultant will work with Borough officials to determine how individual uses will be approved, including the uses of these tools. The pros and cons of each approach will be actively discussed with the Borough.

### ***Nonconforming Uses and Structures***

This section will address nonconforming uses and structures and how these uses should be treated when requesting changes or permits for modifications to the use and/or structure.

### **Task 4 – Pennsylvania MPC Compliance**

The Consultant will ensure that the Borough's new zoning ordinance is compliant with the MPC and current land use law and practice requirements of the MPC. Specific recommendations will be made by the Consultant to the Planning Commission, Zoning Hearing Board and Borough Council in relation to any necessary changes.

### **Task 5 – Final Zoning Ordinance Draft**

The Consultant will present a final draft copy of the proposed ordinance to the Borough Manager, Planning Commission, solicitor, and other stakeholders for review. The Consultant team will also actively aid the Borough in the adoption process as outlined by the requirements of the MPC, including presentations at public meetings as necessary and required.

### **Task 6 – Zoning Ordinance Adoption Process**

The Consultant will guide the Borough through the complete zoning ordinance adoption process, including the detailed review by Allegheny County, and all subsequent public hearings. The Consultant will also be responsible for drafting legal advertisements in addition to advising the Borough on all legal adoption requirements, such as community postings.

### **Task 7 – Educational Component**

The Consultant will provide training to Planning Commission, Zoning Hearing Board members and Borough staff as part of this project. Training will touch on the new ordinance, but will center on issues related to conditional uses, use by special exceptions, and uses by right in the various zoning districts.

## **3. RFP REQUIREMENTS**

### **3.1 General Expectations**

Consultants are asked to submit a concise proposal describing their capacity to manage the project and their experience with similar projects. Samples of zoning ordinance revisions/rewrites and public participation plans are expected. The proposals should include a clear outline of how the Consultant would help the Borough meet the project objectives.

### **3.2 Proposal Elements**

Proposals should be prepared on standard size paper and limited to twenty (20) pages, exclusive of resumes. Charts and spreadsheets may be larger. Standard advertising brochures should not be included in the proposal.

Although the Borough requires no specific proposal format, the following guidelines highlight features that the Borough will expect to be included within the proposal. The Consultant should submit a written proposal signed by its authorized agent and should include the following information:

- Provide Consultant's name, address phone number, and fax number, along with the name of a contact person if different than the firm's name or signature on the proposal.

- Brief synopsis indicating understanding of the objectives and tasks of the project and describing any modifications or expansion of the information provided.
- A detailed project time schedule with start date and major project milestones.
- A clear and concise statement, with examples, indicating the Consultant's past performance and familiarity with the type of work sought under this RFP. A list of client references for which the Consultant has provided similar services should be provided, including the name, address and phone number of a contact person for each reference. Indicate the type, scope and duration of the work done for each client.
- A list of zoning ordinance updates prepared by your firm for other communities.
- A statement indicating the qualifications of the key person who will be assigned to the project by the Consultant and their responsibilities within the scope of services.
- A proposed budget with level of effort for each member of the team and for each major task.
- Fee schedule for personnel involved with the project.
- One copy of your firm's typical services agreement or contract.

### **3.3 General Process**

The Borough Council, Planning Commission, Zoning Hearing Board and key staff involved with the process, as well as the Project Advisor from the DCED/GCLGS, will review the proposals with the following criteria in mind: cost, expertise, and the ability to provide comprehensive and creative services. The Borough of Wilkinsburg reserves the right to accept a proposal on any basis it deems appropriate.

### **3.4 Terms and Conditions**

The process of selecting a consultant for the Borough's zoning ordinance update requires the accumulation of comprehensive and accurate information to ensure that a knowledgeable, objective decision can be made.

The Borough of Wilkinsburg reserves the right to accept or reject any or all proposals or portions thereof without stated cause.

The Borough of Wilkinsburg reserves the right to re-issue any Request for Proposals.

Upon selection of a finalist, the Borough, by its proper officials, shall attempt to negotiate and reach a final agreement with the finalist. If the Borough, for any reason, is unable to reach a final agreement with this finalist, the Borough then reserves the right to attempt to reject such finalist and negotiate a final agreement with another finalist who has the next most viable proposal or bid. The Borough may also elect to reject all proposals and re-issue a new RFP.

Clarification of proposals: The Borough reserves the right to obtain clarification of any point in the Consultant's proposal or obtain additional information.

The Borough of Wilkinsburg is not bound to accept the proposal with the lowest cost, but may accept the proposal that demonstrates the best ability to meet the needs of the Borough.

The Borough reserves the right to waive any formalities, defects, or irregularities, in any proposal, response, and/or submittal where the acceptance, rejection, or waiving of such is in the best interests of the Borough.

The Borough reserves the right to disqualify any proposal, before or after opening, upon evidence of collusion, intent to defraud, or any other illegal practice on the part of the proposer.

### **3.5 Selection Interview**

The Borough of Wilkinsburg may select a short list of proposers to make an oral presentation, if needed. The presentation, limited to sixty (60) minutes, shall serve to confirm proposal representations, provide supplemental information and provide the Borough the opportunity to meet and assess the project consultants.

### **3.6 Budget/Type of Contract**

The budget for the project is \$34,000. Note that the work plan budget is based upon estimates of programs and services. The Consultant shall submit total number of hours and costs to complete each Task as outlined in 2.2 of this proposal.

The Borough will enter into a contract for professional consulting services based on a fixed-price (or lump sum) to the Consultant for the specified scope of services. Incremental payments to the Consultant will be made at the completion of major tasks with a "not to exceed" contract amount. Ten (10) percent of the contract price will be held as final payment upon delivery of the final product. The exact payment schedule will be negotiated and determined as part of the contract and shall be based on the budget provided with the proposal.

The Borough of Wilkinsburg shall not be liable for any costs incurred by a consultant in responding to this Request for Proposals or for any costs associated with discussions required for clarification of items related to this proposal.

### **3.7 Public Information**

Information supplied by the Consultant to the Borough of Wilkinsburg is subject to the Pennsylvania Right-to-Know Law at 65 P.S. §§ 67.101 et seq. Such information shall become public unless it falls within one of the exceptions in the statute, such as security

information, trade secret information, or labor relations information. If the Consultant believes any information which is not public will be supplied in response to this RFP, the Consultant shall take reasonable steps to identify for the Borough with data, if any, what it believes falls within the exceptions. If the proposal data is not marked in such a way as to identify non-public data, the Borough will treat the information as public and release it upon request. In addition, the Borough reserves the right to make the final determination of whether data identified by the Consultant as not public falls within the exceptions within the statute.

### **3.8 Proposal Time Schedule**

Once the project is approved and contracts are signed, the project will last eighteen (18) months from the date of the actual kick-off meeting. While the majority of the project work will take place in months one through fifteen, an additional three months is needed for the adoption process. This process includes the public hearing, the review and possible meeting with Allegheny County, and the actual adoption of the zoning ordinance. Listed below are estimated dates and times of actions related to this RFP:

July 1, 2011	Submission deadline for written questions
July 15, 2011	Deadline to submit proposals
July 27, 2011	Selection interviews, if needed
August 3, 2011	Contract inception date

### **3.9 Notification of Award**

The Borough of Wilkinsburg plans to select a consultant by approximately August 3, 2011. Should either party fail to execute a contract within thirty (30) days of notification of award, the Borough reserves the right to rescind the award and select services from another interested firm.

### **3.10 Number of Proposals to Submit; Deadline, Mail, and Hand Delivery Addresses**

**One (1) original, five (5) copies, and one (1) PDF copy on CD/DVD disc of the proposal must be submitted by 2:00 p.m. EST on July 15, 2011.**

The mailing and hand delivery address is:

**Borough of Wilkinsburg  
605 Ross Avenue  
Wilkinsburg, PA 15221**

### **3.11 Late Proposals**

Proposals received after the deadline will not be considered.

### **3.12 Issuing Agency and Contact Person:**

This Request for Proposals (RFP) is being issued by the Borough Manager's Office of the Borough of Wilkinsburg. The Borough is inviting a proposal from your firm for these professional services. The consulting firm selected to do the work will contract with the Borough, and be responsible directly to the Borough Manager for the completion of work described in this RFP.

The Borough will provide available existing documentation, in hard copy and electronic format when available, to the Consultant and will act as primary contact. Staff will assist the Consultant with scheduling and coordinating meetings conducted by the Consultant during the course of the project.

### **3.13 Questions**

All questions must be in writing and mailed, faxed, or e-mailed to the contact person. Responses to questions will be in writing and will be available to anyone who inquires to ensure uniformity. Anyone wishing to automatically receive responses to inquiries should submit a written request to the contact person stating how they would like to receive this response; either by fax or e-mail. Consultants are not permitted to contact individual Planning Commission, Borough Council members or other Proposal Review Team members for clarification of the RFP. Any such contact may disqualify the Consultant from evaluation. All inquiries and questions for clarification concerning this RFP should be directed to the following contact person:

Marla P. Marcinko  
Borough Manager  
Borough of Wilkinsburg  
605 Ross Ave  
Wilkinsburg, PA 15221  
Phone: 412-244-2906  
E-mail: [mmarcinko@wilkinsburgpa.gov](mailto:mmarcinko@wilkinsburgpa.gov)