



REQUEST FOR PROPOSAL NO. 2024-PLN-01

Boundary Extension

The District of Sparwood is seeking a proposal for Consulting Services for a proposed Boundary Extension to incorporate expanded coal mining works into the District.

Closing Date & Time: December 30th, 2024, 2:00pm (Mountain Time)
Email Submissions only shall be submitted to the District Contact below.

District Contact:

Patrick Sorfleet, Director of Planning and Development
Planning and Development Department
Telephone: 1 (250) 425-6271
Email: psorfleet@sparwood.ca

REQUEST FOR PROPOSAL
BOUNDARY EXTENSION PROJECT

INVITATION TO SUBMIT PROPOSAL

The District of Sparwood invites consulting firms and/or consultants along with sub-contracted services (hereinafter referred to as the “Proponent”) to submit a proposal to develop a Boundary Extension proposal for submission to the Province.

Description: Boundary Extension

Date Issued: November 20th, 2024

Submission Deadline: December 30th, 2024

Submission Time: 2:00 p.m. (local time)

The District of Sparwood reserves the right to accept or reject any and all proposals and to waive irregularities and informalities at its discretion. The District of Sparwood reserves the right to accept a proposal other than that with the lowest price or highest evaluated score without stating reasons. By submitting a proposal, the Proponents waive any right to contest, in any proceedings or action, the right of the District of Sparwood to accept or reject any proposal in its sole and unfettered discretion. Without limiting the generality of the foregoing, the District of Sparwood may consider any other factors besides price and capability to perform the work in its sole and unfettered discretion.

This Request for Proposal (RFP) does not commit the District of Sparwood to award a contract or pay any costs incurred in the preparation of a proposal or attendance at meetings with the District of Sparwood or Administration.

RFP documents are available from the BC Bid website: www.bcbid.gov.bc.ca. Proponents are required to check the BC Bid website for any updated information and addenda issued before the Closing Date.

For additional information, please contact:

Patrick Sorfleet
Director of Planning and Development
psorfleet@sparwood.ca

INSTRUCTION TO PROPONENTS

Inquiries:

Refer all proposal inquiries in writing to, Patrick Sorfleet, Director of Planning and Development, by e-mail at psorfleet@sparwood.ca.

Proposals:

An electronic submission of the proposal in .pdf format will only be accepted to psorfleet@sparwood.ca with reference to **2024-PLN-01 - Boundary Extension**.

Proposals must be received prior to the RFP closing date and time. Proposals received after the RFP closing date and time will not be accepted.

It is the sole responsibility of the Proponent to ensure that their proposal is received by the District within the proper time allocation. Late responses may be rejected by the District of Sparwood. All proposals must be signed by an authorized representative of the Proponent.

Submission of a proposal indicates acceptance by the Proponent of the conditions in the RFP, unless clearly and specifically noted in the proposal submitted.

SCOPE OF WORK

Purpose and Description:

In 2008, the District of Sparwood adopted Bylaw 997, 2008 to enter into a tax sharing agreement with the Regional District of East Kootenay (RDEK), the City of Fernie, and The District of Elkford to determine the rate, distribution, and the utility of tax revenue collected from the steelmaking coal mines in the Elk Valley. Section 4 of that bylaw states that any Class 4 coal mines, coal processing works, or coal related infrastructure identified outside the boundaries of the three Municipalities, shall be encompassed by the closest Municipality via an application for an expansion of their boundary. The Line Creek and Elkview Mines and their workings have expanded and as such must be incorporated into the District of Sparwood; there may have been changes to the Coal Mountain mine, which if so would need to be incorporated as well.

The District wishes to engage consulting services to complete the boundary extension project to incorporate any expansions of the Line Creek, Elkview, and Coal Mountain mines into the District.

Project Scope:

This project is to identify all eligible Class 4 coal mines, coal processing works, and coal related infrastructure at the Line Creek, Elkview, and Coal Mountain mines that fall outside of the District's current boundary and to prepare a proposal for boundary extension to the Province and manage that process through to Provincial Approval. The successful proponent would be expected to manage the submission to the Province through to the approval stage, including to the issuance of a letter patent.

The lands to be included in the District's boundary will either be owned by the mining company or the Crown and other private lands should not be included. Note: it is the District's intent to use the Alternate Approval Process for elector approval of this boundary extension.

Specific Deliverables

- Stakeholder engagement and property owner consultation.
- Detailed maps in ArcGIS compatible format showing the parcels to be included in the boundary extension.
- A list of parcels or portions thereof to be included in the District's Boundary.
- A municipal boundary extension proposal completed to the Ministry of Municipal Affairs' standards and managed through to approval.

PROPOSAL FORMAT AND REQUIREMENTS

The proposal shall adhere to the following format and provide a response to the criteria as outlined. Please note that for those consultants who are using subconsultant services, the requirements must be completed first identifying yourself with the subconsultant services information following. Proposals are limited to 25 pages excluding appendices.

Letter of Transmittal:

A letter of transmittal or covering letter, dated, and signed by an official authorized to negotiate, make commitments, and provide any clarifications with respect to the proposal.

Executive Summary:

An Executive Summary will identify pertinent points in the proposal you wish to highlight over and above requirements.

Corporate Profile:

A brief corporate profile will cover the company's history, office location(s), individual(s) who will be assigned to lead the project team, including the same for any sub-consultant services. The corporate profile should also include the corporate operating philosophy.

Proponent's Team:

Proponents are to clearly identify each member on the project team and describe the involvement they have on the team. Each team member will include a personal resume complete with their experience. The consultant should identify the team member(s) that will be the primary client contact(s).

Proponent's Experience and Expertise:

The Proponent will provide a list of projects with related experience and expertise for the past five (5) years starting with the most recent. For Proponents that plan to utilize subconsultant services, the same must be included for all.

Approach and Methodology

The Proponent will provide a brief description of their proposed approach and methodology to complete the work described in the deliverables. This must include but is not limited to the following:

- Work Plan
- Timelines (preferably in Gantt Chart format)
- Stakeholder engagement

Resources and Costs

The proponent will provide a total cost that includes a breakdown of the items in the proposed work plan. Prices must include the unit cost for services (eg: hourly rates), any disbursements for travel/meals, and

any sub-consultant fees. The proponent must indicate whether the total costs include any applicable taxes. Please also provide hourly rates for services not included in the proposal should they be required.

References:

The Proponent shall include a list of three (3) relevant references with at least one (1) being from British Columbia with their proposal package. Each of the references shall include the project(s), estimated cost versus actual cost, the complete client's name, contact person complete with title, email, and phone number.

Insurance, Professional License(s) and Affiliations:

The Proponent shall include a Certificate of Insurance issued by their insurance broker. The Proponent shall provide under their letterhead, dated and signed, a list of all registered professional licenses and affiliations to other organizations.

EVALUATION CRITERIA AND CONTRACT EXECUTION

The evaluation team for the District of Sparwood will review and score each validly submitted proposal in accordance with the following criteria.

Criteria	Point Weighting
<p><u>Corporate Profile</u> Show how qualifications, corporate experience, education, certifications and awards, and staff education and expertise are an asset to the complete the scope of work.</p>	10
<p><u>Project Team</u> Show how the project manager and key personnel qualifications and experience of both the Prime Consultant and Subconsultants (if applicable) are an asset to deliver the scope of work.</p>	20
<p><u>Approach and Methodology</u> Demonstrate knowledge of the Boundary Extension process and how the project scope of work can be achieved in an efficient manner.</p>	30
<p><u>Resources and Costs</u> Detail both the time required to complete the works and the overall costs.</p>	30
<p><u>Quality of the Proposal</u> High-quality digital proposal file (i.e.: clarity, consistency, comprehensiveness, and appropriateness), considering ease of reading, a lack of grammatical or formatting errors, and conformance with all required sections including the 25-page limit (excluding Appendices).</p>	10
<p><u>References</u> Provide three references for previous related projects. References will be evaluated based on favorable feedback on project outcomes, client collaboration, and project quality.</p>	Will be used to inform the scoring for any of the above criteria

The District reserves the right to seek Proposal clarification with the proponents to assist in making evaluations. The evaluation team’s scoring of proposals may be informed by feedback received from references provided by the Proponent as well as any information received from the evaluation team from any other credible sources which could include the District’s staff or consultants.

If an agreement for services cannot be negotiated within thirty days of notification of the successful proponent, the District may, at its sole discretion at any time thereafter, terminate negotiations with that proponent and either negotiate an agreement with the next qualified proponent or choose to terminate the RFP process and not enter into an agreement with any of the Proponents.

TERMS AND CONDITIONS OF THIS RFP

By submitting a proposal, each Proponent agrees that the participants to this RFP process are bound by the following terms and conditions.

1. This RFP is not a tender call, and the submission of any response to this RFP does not create a tender process. This RFP is not an invitation for an offer to contract, and it is not an offer to contract made by the District.
2. Though the District intends at this time to proceed through the RFP, in order to select the services, the District is under no obligation to proceed to the agreement, or any other stage. The receipt by the District of any information (including any submissions, ideas, plans, drawings, models or other materials communicated or exhibited by any intended Proponent, or on its behalf) shall not impose any obligations on the District. There is no guarantee by the District that the process initiated by the issuance of this RFP will continue, or that this RFP process or any RFP process will result in a contract with the District for the purchase of services.
3. Any cost incurred by the proponent in the preparation of a proposal will be borne solely by the Proponent.
4. The District reserves the right, to be exercised in the District's sole discretion, to:
 - a. waive non-compliance of a proposal with requirements set out in this RFP if such non-compliance:
 - i. is not in relation to an essential or important requirement set out in the RFP; and
 - ii. is not significant with respect to evaluation of the proposal;
 - b. cancel this RFP at any time before a contract is entered into, including at the following stages:
 - i. before the Closing Date & Time;
 - ii. after the Closing Date & Time but before contract negotiations commence; and
 - iii. during contract negotiations;
 - c. if this RFP is cancelled:
 - i. issue another solicitation on the same or different terms; or
 - ii. do nothing further;
 - d. rely on information from credible third parties to assess a Proponent with respect to evaluation criteria, even if such third parties have not been nominated as reference by the Proponent;
 - e. disqualify a Proponent in the following circumstances:
 - i. the Proponent attempts to influence the outcome of this RFP process in a manner that compromises the integrity and fairness of this process;
 - ii. a conflict of interest exists with respect to the Proponent that could materially affect the selection process or performance under a future agreement;
 - iii. the Proponent or its proposed sub-contractor is currently, or was within the past three years, engaged in litigation with the District; or
 - iv. it is known to the District with reasonable certainty through its own experience or through that of credible third parties that the Proponent has acted in a commercially unreasonable manner or unlawful manner within the last five years;

- f. negotiate the terms of the agreement with one or more Proponents who are ranked the highest in the evaluation process and enter into an agreement with each such Proponent; and
 - g. enter into a Contract for only a part of the deliverables anticipated in the RFP.
- 5. The District will endeavor to keep all proposals confidential. The material contained in the successful Proponent's proposal will be incorporated in a contract and information which is considered sensitive and/or proprietary shall be identified as such by the Proponent. Technical or commercial information included in the District contract shall not be released if the District deems such releases inappropriate, subject to the Freedom of Information and Protection of Privacy Act.