

**Request for Proposals  
to Update the  
Zoning Ordinance  
and  
Land Development  
Regulations**

**City of Cayce,  
South Carolina**

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# **REQUEST FOR PROPOSALS: Ordinance Update**

## **A. REQUEST FOR PROPOSALS (RFPs) – Statement of Intent**

The City of Cayce, population 13,000+, intends to 1.) update its Zoning Ordinance, and 2.) update its Land Development Regulations. Therefore, the City requests proposals from qualified consulting firms with the expertise to comprehensively assist the City in amending the City's Zoning Ordinance and Land Development Regulations. The updated ordinances shall be in compliance with State statutes and consistent with the City's Comprehensive Plan and various specific plans.

Note: For the purposes of this project, it is assumed that when reference is made to the land usage ordinances, this shall include the updating of the Zoning Ordinance and the updating of the Land Development Regulations.

## **B. PROJECT PURPOSE**

In December 2021, the City adopted its 10-year Comprehensive Plan (2020-2030 Comprehensive Plan: Preserve, Change, Create). The purpose of this update is to incorporate the elements of the comprehensive plan into the City's land usage ordinances.

The ordinance update should incorporate these key concepts:

- Maintain and enhance the distinctive City design
- Encourage a mix of uses
- Create walkable communities
- Preserve the historic, open space, farmland, natural beauty and environmentally sensitive areas
- Strengthen and direct new and infill development toward existing communities
- Provide a variety of transportation choices
- User-friendly and easy to read, understand, and interpret for all users, including citizens, staff, developers, and elected and appointed officials
- Heavily illustrated, with considerable graphics depicting the requirements, recommendations, and concepts detailed in the ordinance
- Simple and easily administered by staff

The final product shall be in a format that can be easily updated and managed by staff.

## C. RELEVANT CITY DOCUMENTS

1. City of Cayce Zoning Ordinance (2001 and often updated)
2. City of Cayce Land Development Regulations (2004 and updates)
3. City of Cayce 2020-2030 Comprehensive Plan: Preserve, Change, Create
4. Other Important Documents
  - Lexington County Land Development Manual

## D. MAILING INSTRUCTIONS

Michael Conley  
Interim Deputy City Manager  
City of Cayce

### U.S. Mail:

1800 12<sup>th</sup> Street  
Cayce, SC 29033

### Physical Location:

1800 12<sup>th</sup> Street  
Cayce, SC 29033

## E. INQUIRIES

Questions pertaining to the RFP and the selection process should be directed to Michael Conley at [mconley@caycesc.gov](mailto:mconley@caycesc.gov) or Monique Ocean at [mocean@caycesc.gov](mailto:mocean@caycesc.gov)

## F. RFP SUBMITTAL INFORMATION

Proposals are due no later than 3:00 p.m., Tuesday, November 26, 2024, and must be received by that time and date. Proposal postmark dates and times will not be considered as meeting that deadline. Proposers must submit five (5) bound copies of their proposal, one (1) electronic copy, and one (1) separately sealed fee proposal envelope to the address shown under “Mailing Instructions” above.

The City is not responsible for proposals that are delinquent, lost, mismarked, and sent to an address other than that given above or sent by mail or courier service.

The City reserves the right to reject any and all proposals, to waive any informalities or irregularities and to make the selection among the proposals as are deemed in the best interest of The City. The City is not liable for any costs incurred to prepare or present a response to this Request for Proposal (RFP).

## 1. Anticipated Timeline

Oct. 25, 2024	RFP Advertised
Nov. 6	Notice of Intent to respond
Nov. 12	Questions submitted to City Manager
Nov. 15	Responses to Questions Posted to City Website on RFP page
Nov. 26	Responses to RFP Due
Nov. 27	Bid Opening at 11 a.m.
Dec. 1-7	Selection Process
Dec. 9-10	Notification of Intent to Award
Dec. 31	Negotiation, Award and Commencement of Project

The City reserves the right to cancel and/or modify the RFP dates at any time.

## 2. Intent to Propose

The City has elected not to conduct a pre-proposal conference prior to the receipt of proposals. However, prospective proposers that are interested in receiving addenda to this RFP, including responses to submitted questions from all participating firms, should complete Attachment 1: Notice of Intent to Respond and submit it to [mconley@caycesc.gov](mailto:mconley@caycesc.gov) no later than the date specified in the Schedule above. This will allow the City to provide timely information to interested parties. Submitting the Notice of Intent to Respond form does not obligate the prospective proposer in any way.

The effect of all addenda to the RFP documents shall be considered in the proposal and said addenda shall be made part of the RFP documents. Before submitting a proposal, each proposer shall ascertain whether or not any addenda have been issued. Failure to include information provided on any such addenda in proposer's proposal may render the proposal invalid and result in its rejection. All addenda and additional information will be available at [www.caycesc.gov](http://www.caycesc.gov).

## G. PROPOSAL CONTENT

The City of Cayce requires the proposer to submit a concise proposal, five (5) sealed original and one (1) electronic submittal clearly addressing all of the requirements outlined in this RFP. Proposal must include, at a minimum, the following sections **in the order indicated:**

### 1. Information Page

Include project name, name of firm submitting the proposal, contact information for the person who will act as project leader including name, title, address, telephone and fax numbers and email address.

2. *Description of Study Understanding*  
Outline of the proposer's understanding of the project and summarizing the basic approach to the project.
3. *Methodology*  
Descriptions which enable the City of Cayce to assess the proposer's capability to conduct this project in a structured and efficient fashion.
4. *Scope of Work – (Note as Exhibit A in your proposal.)*  
Details with specific task descriptions to demonstrate that the proposer has considered all aspects of the study and that the proposer will cover them thoroughly. Attendance at Planning Commission, City Council, community meetings, public hearings, and providing any needed informational material deemed necessary to educate the community and Council regarding the project should be included.
5. *Timetable*  
A timetable which identifies the main elements of the project, according to the Scope of Work, and projected completion dates throughout the project period.
6. *Personnel*  
Resumes of the individual(s) assigned to the study and other staff personnel available to support the study. Particular attention should be given to the proposer's organization which provides internal service for supporting the study team and facilitates quality assurance auditing of the study work.
7. *Qualifications*  
Description of the organization, covering background experience connected with unified development ordinances and annexation policies, as well as other similar projects.
8. *Representative Study Descriptions and Client References*  
Submit descriptions of similar assignments which were conducted by the proposer, including other agencies' contact names and telephone numbers.
9. *Cost Estimates of Consulting Fee – (Note as Exhibit B in your proposal.)*  
Each proposal shall include a cost estimate for providing services. Cost estimates shall be placed in a separate sealed envelope on which is written:

RFP Cost Estimate  
City of Cayce – Zoning Ordinance Update  
(Name of your firm)  
(Date)

## **H. PROPOSAL EVALUATION**

1. Proposals should provide a straightforward and concise presentation adequate to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of contents. Responsiveness to the RFP will be a principal basis for evaluation.
2. The City may award a contract to the best service provider(s) with innovative ideas, which may not be the lowest price proposal. The City reserves the right not to award some or all of the services contemplated.

## **I. SELECTION PROCESS**

The following is an outline of the procedures the City will use in the selection process:

1. City Manager sends out request for proposals to interested parties.
2. City manager and his designees review the proposals submitted by the prospective consultants and selects and reviews proposals which qualify based on the following factors:
  - a. Experience writing or rewriting land use ordinances & annexation policies (30%)
  - b. Qualifications of the respondent (30%)
  - c. References (15%)
  - d. Quality and responsiveness to the RFP (10%)
  - e. Budget to complete the scope of work (10%)
  - f. Schedule/Timeline (5%)
3. Based upon the proposals submitted, the City may select a short-list of qualified firms for this project. City of Cayce reserves the right to make final consultant selection based solely upon evaluation of the written proposals, without short-listing firms or conducting oral interviews, should it find it to be in its best interest to do so.
4. The City may request oral presentations. The request for an oral presentation shall in no way constitute acceptance or imply that an agreement is pending. The City reserves the right to award this opportunity based on the initial RFP response without oral presentations.
5. The City may interview the short-listed firms. Based upon the proposal and interview, the City will rank the finalists as to factors of qualification.
6. The negotiations will cover scope of work, contract schedule, contract terms and

conditions, technical specifications, and price. If the negotiating team is unable to reach an acceptable agreement with the selected firm, the City will recommend that negotiations be terminated and that negotiations with the second ranked firm be initiated. The City has final authority to terminate negotiations and move to the next ranked firm.

7. After negotiating a proposed agreement that is fair and reasonable, the City Manager will inform the City Council that the City of Cayce entered into the proposed agreement. Final authority to approve the agreement rests with the City Manager.
8. The City anticipates contracting with the selected firm for an initial term of two (2) years. The City of Cayce may amend or extend this contract beyond the initial two years.

Respondent agrees to honor their proposal for a period of 180 days from the proposal due date.

## **J. SCOPE OF SERVICES**

The selected consulting firm will collaborate with the City Planning Commission, stakeholders and key staff to develop a new land usage ordinance that supports the goals, policies, and action items in the Comprehensive Plan. The Planning Commission will be the governmental body responsible for overseeing development and review of the updated land use ordinance and annexation policy, and it will then recommend the adoption of the final land use ordinance and annexation policy to the City Council.

Education of the Planning Commission will also be a part of the scope of this project. The selected consultant will be responsible for educating the Planning Commission on the basics of planning and zoning principles, to include mixed use and form-based codes. At least one educational session is to take place at the first meeting at which the consultants are introduced to the full Planning Commission.

The City wants to create land usage ordinances that will help the City achieve its vision for the future as outlined in the Comprehensive Plan. While the land usage ordinance must be overhauled to achieve many of the goals of the Comprehensive Plan, it must also be revised because it contains requirements that may no longer reflect the design of the City. The consultant will be responsible for ensuring that all the code elements that are in the current ordinance are addressed in the revised ordinance, with particular attention paid to the City Overlay Districts.

The consultant will be responsible for recommending the organization and style of the land use ordinance. The land use ordinance should be an efficient, easy-to-use document that will help implement the land use policies of Cayce. Mechanisms such as cross-referencing, illustrations and tables should be the primary methods to make the ordinance



user-friendly. The consultant will have primary responsibility for drafting and redrafting the text of the land use ordinance after receiving appropriate input from the community's citizens, stakeholders, Planning Commissioners, Council members and staff.

It is anticipated the consultant will perform the following research/tasks before the actual writing of the ordinance:

- Establish a comprehensive participation, communication and information strategy to ensure appropriate volunteer, community, business, planning and staff involvement during the creation of the land use ordinance.
- Perform a field survey to evaluate existing development comparing it to the current zoning districts and the Future Land Use Map to determine if reclassification of districts is necessary. If a re-classification of districts is necessary, then a new zoning map should be developed to be consistent with the new re-districting.
- Analyze the types of variances or exceptions requested in the past ten (10) years to determine if a pattern has developed that would give insight into some of the planning issues that should be addressed in the new ordinance and recommend specific language for those.
- Advise as to any applicable laws that will impact the issues to be addressed in the new land use ordinance.

Drafting of the ordinance should begin after the aforementioned research/tasks are performed and any other research/tasks are performed as recommended by the consultant and agreed to by the City as outlined in a contract. Staff and the consultant must agree to a scope, outline, and organization of the ordinance before the first draft has begun.

## **K. DELIVERABLES**

All items delivered as part of this project shall be the sole property of the City of Cayce. The consultant shall be responsible for the submittal and execution of the following:

1. Progress Reports and Research. The consultant shall be responsible for submitting monthly progress reports and research information relative to the project. The consultant shall clearly communicate how the regulatory effects of the proposed ordinance may differ from the effects of the current ordinance. Background information regarding subjects addressed in the new ordinance, which are not addressed in the current ordinance shall also be submitted by matrix.
2. Draft Ordinances/Maps. Digital files of documents for distribution during the review and comment phase of the document. Some paper copies may be necessary, but will be kept to a minimum.
3. Meetings. The consultant will be responsible for meeting with the Planning Commission and City staff on a regular basis. The number and frequency of the meetings will be determined in consultation with all parties before the project begins. The purpose of the meetings will be to establish objectives, discuss

alternatives, provide direction and review progress. In addition, the consultant will be expected to attend periodic meetings of the Planning Commission and City Council.

The Planning Commission meets the third Monday of each month at 6:00 PM or after the Board of Zoning Appeals at Cayce City Hall. The City Council meets the first Tuesday of the month at 6 pm and the third Wednesday at 5 pm.

4. Final Work Products. The new land usage ordinances must be provided in electronic format that is compatible with the City's software. Easy-to-use charts and checklists within the document are highly desirable, especially for signage. The consultant shall provide the following specific ordinance products:
  - Modifiable digital files of approved documents and graphics
  - Digital files of approved documents in a format as required by the City's third-party codification service provider

The final zoning map may be included as part of the ordinance documents. If so, the City shall be provided with the following map products:

- A digital version of the zoning map that can printed at a size of 24" x 36"
- A digital version of the overall zoning district map in a format suitable for placing on the City's website (pdf file)
- A digital version/shape files at the individual parcel level for use in and compatible with the Lexington County's Geographic Information System.

## **L. SCHEDULE**

The City anticipates contracting with the selected firm for an initial term of two (2) years. The City of Cayce may amend or extend this contract beyond the initial two years. The process will culminate in a fully updated Zoning Ordinance and Land Development Regulations by January 2027, complete with graphics, (and if needed) including a digitized and updated zoning map.

## **M. COMPREHENSIVE CONDITIONS**

### *1. Comprehensive Information*

The City of Cayce, South Carolina will receive at its office located at City Hall, 1800 12<sup>th</sup> Street, Cayce, South Carolina 29033, all proposals for this City of Cayce project. Proposals shall be submitted as previously outlined in "proposal content". Bids shall be written in ink, computer generated, or by typewriter. Mistakes may be crossed out and corrections inserted adjacent thereto and must be initialed in ink by the person signing the proposal. Proposals are to be verified before submission as they cannot be corrected or altered or signed after proposals are opened.

### *2. Interpretation of Proposals*

Should a consultant find discrepancies in, or omissions from the specifications, or should consultant be in doubt as to their true meaning, consultant may submit to the City Manager a written request for an interpretation thereof prior to the proposal review. The person submitting the request shall be responsible for its prompt delivery. Any interpretation of, or change in the proposed documents will be made only by an addendum issued to each person to whom specifications have been issued, and shall become part of any contract awarded. The City will not be responsible for any other explanation or interpretations.

3. *Competency of Proposer*

The proposer, if requested, must present within a reasonable time evidence satisfactory to the RFP Evaluation Committee of ability to successfully perform comprehensive professional audit services, and the possession of necessary facilities, labor, materials, equipment, software, supplies, expertise, financial resources, and adequate insurance to comply with all of the terms of the professional audit services agreement. No contract will be awarded to any firm that is in arrears or is in default with the City upon any contract or has failed to perform faithfully on any previous contract with the City.

4. *Addenda*

Any addenda issued by the City during the time of proposal review shall be covered in the proposal and shall be made a part of the contract.

5. *Withdrawal of Proposal*

Submitters may withdraw their submitted Proposal at any time by giving written notice to the RFP Contact.

6. *Proposal review*

Proposals shall be delivered to the City of Cayce on or before the day and hour set for the review of proposals in Section F, Submittal Date above. A consultant may withdraw their bid, either personally or by written request, at any time prior to the scheduled time of proposal review.

7. *Proposal Errors*

Submitters are cautioned to verify their Proposal prior to submission. Negligence on the part of the submitter in preparing the Proposal confers no right of modification of the Proposal after the closing time for its receipt. Inadvertent errors (such as the omission of one page of a multi-page document) that have a correction submitted after the designated submission time may be considered at the sole discretion of the City if the submitter submits sufficient information with the correction to prove that the error was inadvertent. Such amendments are not favored, and in the case of doubt, requests will be denied.

8. *Late Proposals; Misrepresentations*

Late Proposals will not be accepted. The City does not specify the method by which proposals are to be delivered; therefore, it cannot be held responsible for any delay, regardless of reason, in the receipt of Proposals. Proposals delivered by mail or

messenger will be considered only when said Proposals are received on or before the due date and time. The City does not guarantee that Proposals received in the building by mail or messenger will be delivered at or before the time the proposal is due. Any material misrepresentations made by the submitter(s) will void the response and eliminate the submitter(s) from further consideration. The City reserves all rights with regard to this solicitation.

9. *Grounds for Protests*

Protest of Contents of Solicitation (Invitation For Bids or RFPs or other solicitation documents, whichever is applicable, or any amendment to it, if the amendment is at issue): Any Proposer who is aggrieved in connection with a solicitation document shall file a written protest to the City Manager, jerosland@caycesc.gov, within four calendar days of the date of posting of the solicitation, RFQ, RFP, or other solicitation document or any addendums to it on the City's website.

Protest of Award: Any Proposer who is aggrieved in connection with the award of the contract shall file a written protest with the City Manager within four calendar days of the date the Intent to Award memorandum is posted on the City's website. Any matter that could have been raised pursuant to the section above on protest of contents of solicitation, may not be raised as a protest of award.

Exclusive remedy: The rights and remedies granted in this section to Proposers, either actual or prospective, are to the exclusion of all other rights and remedies of Proposers against the City.

Failure to file a timely protest: If Proposer fails to request a protest within the four calendar days, the solicitation or award shall be final.

10. *Procedures for Protests*

Protest: A protest must be in writing, filed with the City Manager, and set forth the grounds of the protest and the relief requested with enough specificity to give notice of the issues to be decided. The protest must be received by the City Manager within the time provided.

Burden of Proof: The protestant bears the burden of proving the validity of the protest or claim against the City.

Administrative Review and Decision: The City Manager will conduct an administrative review of all claims set forth within the protest document and shall issue a decision in writing within four calendar days of receiving the protest.

Appeals of Decision: Any appeal of the City Manager's decision pursuant to the above paragraph must be filed with the City Manager, in writing, within four calendar days of the date of the decision. The City Council shall hear and decide any appeals at its next regular or special council meeting.

Stay of Award: The contract award is stayed until issuance of a final decision by the City. Once a final decision is issued, the filing of a petition to appeal that decision does not stay enforcement of the City's decision to award the contract.

11. *Incurred Cost*

All costs incurred in the preparation and submission of Proposals shall be borne by the submitter.

*12. Record Retention*

All working papers and reports must be retained, at the auditor's expense, for a minimum of three (3) years unless the firm is notified in writing by the City of the need to extend the retention period.

In addition, the firm shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to the matters of continuing accounting significance.

*13. Return of Proposals*

The City is under no obligation to return any Proposals or materials submitted by the submitter as a response to this RFP.

*14. Reserved Rights*

The RFP Evaluation Committee shall represent the City in all matters pertaining to this RFP, and reserves the right to reject any and all Proposals during any stage of this RFP, or to modify, withdraw, cancel, or reissue this solicitation, either in whole or in part, in the event that responses are deemed inadequate or that it is otherwise in the best interest of the City.

The RFP Evaluation Committee also reserves the right to disregard any minor informality in the RFP when, in its opinion, the best interests of the City will be served by such action.

*15. Additional Information*

Issuance of this RFP and receipt of submissions does not commit the City to award a contract. The City reserves the right to postpone receipt or selection date, accept or reject any or all submissions received in response to this RFP, or to negotiate with any of the firms submitting an RFP, or to cancel all or part of this RFP process.

*16. Termination*

The City reserves the right to cancel the contract, at any time, without cause and without penalty with a minimum thirty (30) days written notice. Termination or cancellation of the contract will not relieve the Proposer of any obligations for any deliveries entered into prior to the termination of the contract (i.e. reports, statements of accounts, etc., required and not received). Termination or cancellation of the contract will not relieve the Proposer of any obligations or liabilities resulting from any acts committed by the Proposer prior to the termination of the contract.

*17. Freedom of Information Act*

All proposals will be treated as public information unless it is specifically requested that portions of the bid be exempt from disclosure under the Freedom of Information Act, SC Code of Laws Section 30-4-40 (a) (1). It is the Proposer's responsibility to notify the City of any proprietary information listed in proposals

submitted. Any information in which the proposer considers proprietary MUST be clearly marked “proprietary” next to the relevant part of the text in order for it to be treated as such. If a contract is signed with your institution, the contract document is not exempt from disclosure.

All Freedom of Information (FOIA) requests must be sent to the City Clerk, PO Box 2004, Cayce, SC 29171.

This contract will be for the services described in the RFP response; however, this agreement should not be considered exclusive. As deemed necessary, the City reserves the right to obtain these services from any other vendor. Neither issuance of the RFP, preparation and submission of a response, nor the subsequent receipt and evaluation of any response by the City of Cayce will commit the City to award a contract to any respondent even if all the requirements in the RFP have been met.

Attachment 1 (Not Required)

In order to provide timely updates to this Request for Proposal, including responses to questions submitted, we ask that potential bidders complete the following form and return it by e-mail to Michael Conley at [mconley@caycesc.gov](mailto:mconley@caycesc.gov) by November 6, 2024.

Business Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact E-mail: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

\_\_\_\_\_ Yes, we plan to submit a proposal to provide services to the City.

\_\_\_\_\_ No, we do not plan to submit a proposal at this time.

Reason: \_\_\_\_\_