

Fort William Harrison/Limestone Hills

Joint Land Use Study

Request for Proposals

Prepared

By

Lewis and Clark County

Department of Community Development and Planning

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I. INTRODUCTION

Lewis and Clark County is seeking qualified firms to prepare a Joint Land Use Study (JLUS) for Fort William Henry Harrison (Fort Harrison) and Limestone Hills Training Area, Montana and the surrounding communities. DOD's Office of Economic Adjustment (OEA) provides grants to state and local governments to conduct these studies.

Fort Harrison is home to some unique and irreplaceable assets for the nation's military. Fort Harrison has been in continual operation for military training since 1925 and currently provides maneuver areas, training facilities, small-arms firing ranges, and helicopter training and exercises for active and Reserve Component personnel from the Army, Air Force, Navy, and Marines. The importance of Fort Harrison to the economic, social, and security aspects, from the local to the national level, cannot be overemphasized. Annually, the installation generates over eighty five million dollars of economic benefit and provides services to thousands of military, law enforcement, and civilian users annually. To ensure the operational effectiveness of Fort Harrison and its associated Limestone Hills Training Area, this JLUS project is intended to help mitigate land use incompatibility between the military and other agencies. Additionally, integrated land use strategies between the military and local communities will foster better planning and consistent land use development within Lewis and Clark and Broadwater Counties.

II. PROPOSAL OVERVIEW

With funding from OEA, and in partnership with other local jurisdictions and stakeholders, Lewis and Clark County will perform administrative and grant management functions for a JLUS of Fort Harrison and Limestone Hills Training Area and the surrounding communities. The study will involve collaborative land use planning between local communities and the military.

Fort Harrison is located in central Montana in Lewis and Clark County, west of the city of Helena. It is operated by the Montana Army National Guard (MTARNG) and encompasses 6,387 acres: 3,011 acres are Army owned and licensed to the MTARNG, 1,360 acres are Bureau of Land Management (BLM) owned with a 30-year right-of-entry to the MTARNG, 261 acres are MTARNG owned, and 1,755 acres are privately owned and leased to the Montana Department of Military Affairs. Fort Harrison has been in operation for military training since 1925, and currently provides maneuver areas, training facilities, small-arms firing ranges, and

helicopter training and exercises for active and Reserve Component personnel from the Army, Air Force, Navy, and Marines. It is within ¼ mile of the City of Helena, and is bounded on the north and south by residential development.

Limestone Hills Training Area is located in Broadwater County, 34 miles southeast of Helena and near the City of Townsend. Limestone Hills Training Area contains a little over 21,000 acres. The Military's use of the land is allowed through a Right of Way agreement with BLM. Limestone Hills is currently going thru a withdrawal process in order to transfer jurisdiction from BLM to the Department of Military Affairs. Limestone Hills Training Area accommodates the firing of Tanks, Bradley Fighting Vehicles, mortars, artillery (sub caliber), machine-guns, aerial gunnery, small arms, explosive detonations, as well as small unit tactical problems. The maneuver areas will accommodate multiple battalion-sized units.

II. SCOPE OF WORK

Project Goal

The goal of the JLUS is to safeguard the military mission while fostering compatible and sustainable economic development and civilian growth within the study areas. The JLUS is intended to develop the commitment of participating local governments, the Department of Defense, and other public and private stakeholders to implement recommendations that will avoid or mitigate incompatible land uses while supporting economic development for the citizens of Lewis and Clark and Broadwater Counties.

The overall goals of this proposed JLUS are:

1. Identify current and potential land use issues that may impact the operational utility of Fort Harrison and Limestone Hills Training Area;
2. Identify actions that Lewis and Clark and Broadwater Counties and the cities of Helena, and Townsend can pursue to ensure that incompatible development does not impact the operational utility of Fort Harrison and Limestone Hills Training Area;
3. To protect the viability of current and future missions at Fort Harrison and Limestone Hills Training Area, while at the same time guiding growth, sustaining the economic health of the region, and protecting public health, safety and welfare.
4. Create an action plan to guide future planning that all involved parties will benefit from.

Study Area

The Study Area is anticipated to encompass all lands in the vicinity of Fort Harrison and the Limestone Hills Training Area with actual or potential adverse impact on military operations at the installation, including land areas associated with military flight corridors and operations and military training routes between Fort Harrison and Limestone Hills.

Key Deliverables and Work Products

This project will result in a JLUS for the study area. The JLUS will provide data on the subject areas, identification of existing and potential incompatible land uses, recommendations for preventing or mitigating incompatible land uses, and an appropriate implementation strategy.

Project Schedule

The Proposer shall provide an aggressive schedule for conducting the JLUS with a final JLUS ready for approval and/or adoption no later than May 2014. The proposal shall include tentative timelines for all public participation/public outreach components, and for other milestones in the study.

JLUS Guidance

Proposers are advised to consult OEA's *Joint Land Use Study Program Guidance Manual* (published June 2007) and OEA's *Practical Guide to Compatible Civilian Development Near Military Installations* (published July 2005). Both documents are available at <http://www.oea.gov>.

Specific Tasking:

Specific tasks that must be completed include:

1. Task 1/ Public Relations, Outreach and Participation Strategy: Public involvement and public relations activities will be integral to the process. The public participation and public relations should begin early and be integrated throughout the study process to facilitate the distribution of information to the public and the effective use of feedback. The selected contractor is expected to facilitate, organize, and staff all public meetings, including taking

meeting minutes, and to provide all necessary supplies. The public outreach will include but is not limited to the following subtasks:

a. Work with Advisory Committees. Lewis and Clark County will establish Policy and Technical Advisory Committees for the study. Each committee will include designated representatives from all stakeholder groups, including but not limited to the military, local governments, and landowners. Proposers should propose no more than one meeting with each advisory committee per quarter. The timing and purpose of each meeting are at the discretion of the proposer. A severable cost of each meeting should be provided in the cost proposal. If a proposer believes that this is insufficient contact with the advisory committees, then the proposal should include, separate from the main work plan, a section describing any recommended additional meetings. The cost proposal should break out these meetings from the total, likewise providing a severable cost for each meeting.

b. Hold public meetings. Proposers should propose two public meetings and/or workshops per participating county, one at project start up and one for the draft JLUS. If a proposer believes that this is insufficient public outreach, then the proposal should include, separate from the main work plan, a section describing any recommended additional meetings. The cost proposal should break out these meetings from the total, providing a severable cost for each meeting.

c. Participate in meetings with elected and appointed officials.

d. Provide public review and comment period for draft JLUS report.

e. Proposers should include any additional outreach activities that they deem appropriate. These may include policy and technical committee meetings, working group meetings, focus group meetings, etc. The outreach plan should include a minimum baseline level for such activities that a proposer determines to be essential for the success of the project. In addition, proposers may include additional activities or meetings beyond these minimum proposed activities, which are recommended but not deemed essential for the project. Such additional activities should be described in a section separate from the main work plan. The cost proposal should provide a severable cost for each additional recommended activity or meeting.

2. Task 2/Data Collection and Analysis: Compile and analyze existing plans, studies and reports from participating communities and Fort Harrison, Limestone Hills Training Area and the

Montana Department of Military Affairs to identify existing data, data needs, and points of consistency and conflict among the existing documentation. Existing military technical documents available include The Fort Harrison and Limestone Hills Training Area Installation Environmental Noise Management Plan (February 2012), ACUB (Army Compatible Use Buffer) Plan (2012), Fort Harrison Integrated Natural Resources Management Plan (October 2001), Limestone Hills Integrated Natural Resources Management Plan (October 2001), Integrated Cultural Resources Management Plan (2002-2006), Fort William Henry Harrison Master Plan, Fort Harrison and Limestone Hills Training Area Range Complex Master Plan (2011), Montana National Guard Airport Master Plan (2007), MTARNG Integrated Wild Land Fire Management Plan (2007), MTARNG Aviation Land Use Compatibility Analysis Study and the Limestone Hills Land Use Compatibility Study (2011).

The selected consultant will be expected to use and analyze existing data, and produce new products in support of the JLUS based on this data. The Data Collection and Analysis will include but is not limited to the follow subtasks:

- a. Identify existing and potential land uses and conflicts.
- b. Analyze standard operating procedures for Fort Harrison and Limestone Hills Training Area and assess and describe existing base operations.
- c. Describe and assess existing base operations and development pressures and trends.
- d. Identify, review, and summarize current ordinances, land development codes and policies, military regulations, federal and state laws and regulations that address potential impacts between the study area land uses and operations and uses of Fort Harrison and the Limestone Hills Training Area.
- e. Meet with local government officials, staff, Technical Committee, developers, property owners, and military representative to discuss current and future compatibilities and conflicts.
- f. Identify growth objectives for both the MTARNG and the surrounding jurisdictions and assess future development potential in the study area.

3. Task 3/Mapping: Develop GIS-based maps to depict relevant land uses, zoning, base operations, infrastructure, environmental constraints, potential or actual land use incompatibilities, and study recommendations. The maps will assist in data analysis and in

communication with participating agencies and the public. The consultant will need to evaluate and make the best possible use of existing GIS-based maps and data at the federal, state and local level. The project is not intended to involve intensive mapping effort and the consultant will be responsible for compiling and organizing existing data, not developing new data. GIS maps developed by the consultant should be submitted in geodatabase format.

4. Task 4/Land Use Compatibility Recommendations:

- a. Develop recommendations that mitigate or prevent incompatible land uses.
- b. Identify uses that are acceptable and feasible within the study areas, taking into account the economic viability of those land uses and compatibility with adjacent uses.
- c. Identify existing statutory provisions that may reduce or mitigate future land use conflicts
- d. Identify potential measures to encourage land use compatibility, and develop appropriate implementation strategies for recommendations that will simultaneously address the concerns and potential incompatible land uses of Fort Harrison, Limestone Hills Training Area and its neighboring agencies and jurisdictions.
- e. Recommend potential changes to the local government comprehensive plans and/or land use regulations.
- f. If applicable, recommend a process at the local level for Lewis and Clark and Broadwater Counties and the Cities of Helena and Townsend to work with Fort Harrison, Limestone Hills Training Area, the MTARNG, the Department of Defense, other Federal agencies, and the State of Montana to support compatibility between development of regional renewable energy resources and military missions and operations. The Department of Defense Siting Clearinghouse requirements and standards published in title 32, Code of Federal Regulations, Part 211 shall advise and guide the process to facilitate the early submission of renewable energy project proposals to the Clearinghouse for military mission compatibility review.

5. Task 5/Preparation of Draft JLUS:

- a. Prepare Administrative working draft JLUS for Policy and Technical Committee review.
- b. Address and incorporate committee comments.
- c. Prepare draft JLUS, and submit draft JLUS for Policy and Technical Committee.

d. Conduct public review of draft JLUS.

6. Task 6/Preparation of Final JLUS:

a. Prepare final JLUS Report based on committee, public and other stakeholder comments/input.

b. The final JLUS report will include the preparation of an executive summary that may be distributed as a stand-alone document. The consultant should provide a severable cost for preparation of an executive summary.

7. Task 7/Adopt JLUS: Present Final JLUS to local governing bodies for acceptance and/or adoption.

Staff Participation:

Lewis and Clark County will provide project oversight and the final review and approval of all deliverables related to the JLUS. It is envisioned that the selected contractor will be responsible for the majority of the tasks during the JLUS process. However, Lewis and Clark County is expected to perform or to assume lead responsibility for the following tasks:

- Assist in the formation of Advisory Committees.
- Review all draft reports and plans prior to their reproduction and distribution.
- Assist with media outreach and distribution of media advisories.
- Assist with GIS mapping related to the project.
- Set up and maintain a web site for the project and post relevant document deliverables (provided by the contractor) and promptly update the web site.

Publication, Product Delivery and Project Closure

The anticipated minimum deliverables are as follows:

- Draft Public Participation and Public Relations Strategy: Electronic copy and approximately five (5) print copies.
- Final Public Participation and Public Relations Strategy: Electronic copy and approximately five (5) print copies.

- GIS data and maps: Electronic master files. GIS map data will be incorporated into the JLUS graphics.
- Administrative Draft Joint Land Use Study Document for Advisory Committees: Electronic and approximately thirty (30) print copies.
- Draft Joint Land Use Study Document: Electronic copy and approximately thirty (30) print copies.
- Final JLUS document: Electronic copy and approximately fifty (50) print copies. The selected contractor will print each Joint Land Use Study in a high-quality manner with color images.
- Draft Executive Summary: Electronic copy and approximately 5 (five) print copies.
- Final Executive Summary: Electronic copy and one hundred (100) print copies in color. The executive summary must be suitable as a stand-alone document.

The contractor will transmit the draft and final documents and all data electronically to Lewis and Clark County. The contractor will also deliver camera-ready artwork and reproducible copies of 8.5” x 11” or 11” x 17” artwork so that additional copies of study graphics can be reproduced as necessary. It is anticipated that Lewis and Clark County will post deliverables to the JLUS website as they become available.

IV. CONSULTANT QUALIFICATIONS

The consultant team will be multi-disciplinary in makeup and approach in order to complete this Joint Land Use Study. The successful proposal will **clearly answer** the questions that will be utilized to grade the responses. **These questions are listed below.** To recap and clarify the areas of expertise identified in the scope of work, the Consultant must clearly answer these questions to demonstrate a thorough understanding of this project and what the outcomes will be:

a) Demonstration of the various disciplines included on the team. Who are the members? What is their expertise? Have they demonstrated through resume? What sets this team apart from other potential responses?

- b) What demonstration is provided that there is expertise on the team that has or can gain quickly a thorough understanding of Department of Defense Compatible Land Use practices; and Joint Land Use Study process and implementation? How is this demonstrated?
- c) Does the response demonstrate the expertise and resources available to do a literary review, gathering of economic impact data, and collect primary data in the two county area as well as collect regulatory, demographic, and other pertinent background information? How is this demonstrated?
- d) Does the response clearly demonstrate a well thought out timeline for the project? Who is the project manager? How much time does the project manager devote to the project? Are the members of the team available and ready to commit to the project? Does the response demonstrate a clear concise methodology for achieving the tasks as described?
- e) Has the team had experience working with task forces and working groups? How is this demonstrated in the response? How well does the response demonstrate an understanding of rural culture/communities – specifically the Western United States? What types of meetings/events/workshops do they envision using to gather information and support for the strategies that will be developed for each specific task?
- f) How well does the Consultant address their understanding of developing a series of strategies and implementation for a Joint Land Use Study?
- g) Does the response demonstrate that the Consultant has worked on similar projects in the past and provide references for those projects?

V. PROPOSAL REQUIREMENTS

The original and ten (10) copies of the proposal must be submitted by 4:30 p.m. on October 26, 2012 to:

Lewis and Clark Department of Community Development and Planning

Attention: Michael T McHugh, Planner

Address: 316 North Park, Helena, MT 59623

The submittal will follow the order below and include, at a minimum the following information:

- A cover letter signed and dated by the person or an authorized representative of the organization making the submittal.
- A brief statement of your understanding of the goals of this project and of the services requested in this RFP.
- A proposed work plan indicating how your firm proposes to perform the project as defined in the scope of work. This work plan should be detailed enough to demonstrate your familiarity with this type of project. The work plan should also include a proposed schedule to undertake the major work items as well as an indication of major project milestones. It should include information on your firm's methodology for completing the scope of work requirements. It should clearly identify the firms or sub-consultants and individuals that will participate on the team and prepare each major task or work product.
- Qualifications of key individuals or firms to be assigned to this project, their availability during the relevant time periods, and their recent experience on similar projects.
- References for which the consultant and/or key personnel have performed similar work. Include a point of contact, address, telephone number and a brief description of the services your firm provided.

VI. FEE

One separate sealed fee estimate must be submitted in addition to the proposal. This fee estimate **will not** be used as criteria for ranking of consultant firms, but will remain sealed until after selection of the highest ranked firm. The fee estimate should not exceed \$160,000.00 or clearly convey why additional funds would be needed. After the selection committee establishes the order of the highest ranked firms the sealed envelope for only the highest ranking firm will be opened and used for beginning negotiations. The highest ranked firm will be negotiated with first, and if a successful agreement cannot be reached, then Lewis and Clark County will proceed to negotiate with the second ranked firm and so on. This process allows the fee not to be used in the ranking process, but as the basis for negotiation of an equitable fee for both parties.

In the event that an interview of the top firms is required to determine final ranking, the fee will not be considered as part of this interview process. Fee will be used as a negotiator with the highest ranked firm after interviews.

The fee estimate should include a breakdown, based on the major tasks or phases of work proposed in the methodology as they relate to the project scope and goals.

VII. CONSULTANT SELECTION

A Consultant Selection Sub-Committee will be comprised of members of the JLUS Policy Committee to evaluate and rank the consultants that respond to this RFP. This evaluation will be based on the submitted proposals and, at the discretion of the Committee, on interviews with those consultants who appear to be particularly well qualified, as determined from their written proposals.

The consultant teams will be evaluated and ranked in accordance with the following factors with a total possible scoring of 100 points:

- **Proven specific** experience of the consultant team and key project personnel in preparing a Joint Land Use Study or other such compatible use study for a community and military installation. (25 points)
- **Quality and soundness** of the consultant team's proposed work plan, including methodology and schedule (25 points)
- Consultant team's **knowledge and understanding** of the goals of this project. (25 Points)
- **Experience** of the consultant team in **working collaboratively** with clients, volunteer committees, members of the military, and the general public to ensure good communication as well as consensus for project outcomes. (25 Points)

Negotiations will commence with the highest ranked consultant. Upon reaching agreement on a final work plan and price, Lewis and Clark County will award the contract. If an agreement cannot be reached with the highest ranked consultant, negotiations will proceed with the second ranked consultant, and so forth.

VIII. ADDITIONAL INFORMATION & CONDITIONS

A. STATEMENT OF NONCOMMITMENT

Issuance of this RFP does not commit Lewis and Clark County to award a contract or to pay any costs incurred in preparation of proposals responding to the RFP. Lewis and Clark County

reserves the right to reject any or all proposals and re-advertise. All proposals become the property of Lewis and Clark County.

B. COMPLIANCE WITH FEDERAL/STATE/LOCAL LAWS

This project is grant funded through the Secretary of Defense's Office of Economic Adjustment and Lewis and Clark and Broadwater Counties. Consultant must comply will all applicable federal, state, and local laws under the terms of the grant agreement with the Office of Economic Adjustment and Lewis and Clark County. These include generally, but are not limited to, 32CFR Part 33, "Uniform Administrative Requirements for Grants and Cooperative Local Governments", OMB Circulars A-133, "Audits of States, Local Governments and Non-Profit Organizations", and 32 CFR Part 28, "New Restrictions on Lobbying (Grants)."

C. DEBARMENT AND SUSPENSION

Successful consultant agrees to comply with the requirements regarding debarment and suspension in Subpart C of the OMB guidance in 2 CFR 180, as implemented by the Department of Defense in 2 CFR Part 1125. The Consultant agrees to communicate the requirement to comply with Subpart C to any sub-contractor with whom the consultant enters into transactions that are "covered transactions" under Subpart B of 2CFR Park 180 and the DoD implementation in 2 CFR Part 1125.

D. DRUG-FREE WORK PLACE

The consultant agrees to comply with the requirements regarding drug-free workplace in Subpart B of 32CFR Part 26, which implements sec. 515-5160 of the Drug Free Workplace Act of 1988 (Pub L. 100-690, Title V, Subtitle D; 41 USC § 701, *et seq.*).

E. HATCH ACT

The consultant is advised that its employees may be subject to the Hatch Act (5 USC §1501-1508). If doubt exists in particular cases, the consultant should seek legal counsel.

F. CIVIL RIGHTS ACT

Title VI and Title VII of the Civil Rights Act of 1964. Any subcontracting by the successful proposer subjects subcontracting firm(s) to the same provisions of federal law.

In accordance with state and federal requirements, the consultant (hereinafter referred to as “contractor”) must agree as follows:

1.) COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 FOR

FEDERAL AID CONTRACTS (a) Compliance with Regulations: The Contractor shall comply with all Regulations relative to nondiscrimination in Federally-assisted programs as they may be amended (hereafter referred to as the Regulations), which are incorporated by reference and made part of this Agreement.

(b) Nondiscrimination: The Contractor, with regard to the work performed by it during the Agreement, shall not discriminate on the grounds of sex, race, color or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment.

(c) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations, whether by competitive bidding or negotiation by the Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, any potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this Agreement and the Regulations relative to nondiscrimination.

(d) Information and Reports: The Contractor will provide all reports and information required by the Regulations, or directives issued pursuant thereto, and permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the Department of Commerce Economic Development Administration (EDA) to be pertinent to ascertain compliance with Regulations or directives. Where any information required of the Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the Department, as requested, setting forth what efforts it has made to obtain the information.

(e) Sanctions for Noncompliance: In the event of the contractor’s noncompliance with the nondiscrimination provisions of this Agreement, the Department may impose sanctions as it determines appropriate, including, but not limited to: (a) withholding payments to the Contractor under the Agreement until the Contractor complies, and/or (b) cancellation, termination or suspension of the agreement in whole or in part.

(f) Incorporation of Provisions: The Contractor will include the provisions of paragraph (a) through (f) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The Contractor will take such action with respect to any subcontract for procurement as the Department may direct to enforce such provisions including sanctions for noncompliance. Provided, however, that in the event the Contractor is sued or is threatened with litigation by a subcontractor or supplier as a result of such direction, the Contractor may request the Department to enter into the litigation to protect the interests of the State of Montana, and in addition, the contractor or the State may request the United States to enter such litigation to protect the interests of the United States.

2) COMPLIANCE WITH THE MONTANA GOVERNMENTAL CODE OF FAIR PRACTICES, 49-3-207. MCA

In accordance with 49-3-207, MCA, the Contractor agrees that for this agreement all hiring will be made on the basis of merit and qualifications and that there will be no discrimination on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by persons performing the Agreement.

3) COMPLIANCE WITH MINORITY & WOMEN BUSINESS ENTERPRISES

Contractor will make efforts to encourage the use of minority and women's business enterprises in connection with Agreements activities in accordance with all Federal Procurement Regulations which describe the actions to ensure that minority and women's business enterprises are used when possible in the procurement of property and services.

G. VENUE

The laws of the State of Montana govern this contract. The parties agree that any litigation concerning bid, proposal, or subsequent contract must be brought in the First Judicial District of Lewis and Clark County, State of Montana and each party shall pay its own costs and attorney fees. (Reference 18-1-401 MCA)

H. INSURANCE

Certificates of Insurance, indicating compliance with the required coverage, must be filed with Lewis and Clark County within ten (10) working days of the Notice of Award. The proof of insurance/exemption must be valid for the entire contract period.

Contracts **WILL NOT** be issued to contractors that fail to submit insurance certificates as specified herein:

- Proof of Worker's Compensation Insurance valid within the State of Montana **or** proof of exemption thereof.
- Proof of commercial general liability insurance with limits of not less than \$750,000 per occurrence and \$1,500,000 aggregate and listing Lewis and Clark County as additional insured.

I. RFP AUTHORITY

This RFP has been issued in accordance with Title 18, Montana Code Annotated and the Administrative Rules of Montana, Title 2, Chapter 5. The RFP process is a procurement option, allowing award to be based on stated criteria or evaluation factors. The evaluation factors to be used in this procurement have been specified in Section IV of this RFP.

J. ADDITIONAL INFORMATION

For more information regarding this RFP, please contact Michael T. McHugh, Planner; Lewis and Clark County Department of Community Development and Planning, 316 North Park, Helena MT 59623 or at (406) 447-8374 or by email at mmchugh@co.lewis-clark.mt.us.