



Mountain View
C O U N T Y

Request for Proposals – Review of Issues Raised by Petitioners

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1. Introduction

Mountain View County is soliciting proposals for an independent review of issues raised by the petitioners in 2009.

On December 16, 2009 a petition was presented to the Minister of Municipal Affairs stating;

“The undersigned persons, being electors of Mountain View County, in the Province of Alberta, hereby petition the Minister to:

INQUIRE INTO THE AFFAIRS OF THE MUNICIPALITY PURSUANT TO SECTION 572 OF THE MUNICIPAL GOVERNMENT ACT OF ALBERTA which states:

572(1) The Minister may order an inquiry described in subsection (2) if the minister receives

- (i) in the case of a municipality other than a summer village, by electors of the municipality equal in number to at least 20% of the population, and*

(2) An inquiry may be conducted into

- (a) the affairs of the municipality,*
- (b) the conduct of a councillor, or an employee or agent of the municipality, or*
- (c) the conduct of a person who has an agreement with the municipality relating to the duties or obligations of a municipality or a person under the agreement.*

The following five petitions, as reported by the Rural Roots Association, were not presented to the Minister of Municipal Affairs or presented to Mountain View County:

DO NOT PASS THE PROPOSED OFF SITE LEVY BYLAW

DO NOT PASS THE PROPOSED LAND USE BYLAW

DO NOT RENEW THE CONTRACT WITH THE CURRENT CHIEF ADMINISTRATIVE OFFICER

*THE IMMEDIATE REMOVAL OF THE CURRENT DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES AND THE
MANAGER OF PLANNING TEAM OF PLANNING AND DEVELOPMENT SERVICES DEPARTMENT*

*COUNCILLORS WILL ADHERE TO ALL THE PRESENTED PETITIONS OR REMOVE THEMSELVES FROM THE POSITION OF
COUNCILLOR. IF THIS IS NOT DONE, AN INQUIRY INTO THE AFFAIRS OF THE MUNICIPLAITY PURSUANT TO SECTION 572
OF THE MUNICIPAL GOVERNMENT ACT OF ALBERTA WILL BE IMPLEMENTED*

In a letter dated February 4, 2010 the Minister of Municipal Affairs included the following statements:

“...found the petition for an inquiry into the affairs of Mountain View County to be insufficient under the provisions of the Municipal Government Act. There is no legal obligation for me to conduct an inquiry; however, I suggest that the municipality consider engaging a third party to conduct a review of the administrative, planning, and governance processes in place.

The review represents an opportunity to evaluate the municipality’s strengths and identify potential for improvement. This evaluation should be a cooperative effort of council, administration, and the community.”

At the February 17, 2010 Regular Council Meeting of Mountain View County the following resolution was passed:

That Council direct the Chief Administrative Officer to obtain proposals from experienced, qualified consultants on a review of the issues, up to the date of the presentation of the petition to the Minister of Municipal Affairs, raised by the petitioners, including necessary interviews and report:

if administration has acted illegally or inappropriately;

if planning has acted illegally or inappropriately;

if council has acted illegally or inappropriately;

if operations has acted illegally or inappropriately;

and consult the community through a telephone survey on the municipality's strengths and opportunities for improvement.

Based on the anticipated value of services under this project, Mountain View County has provided for open and non-discriminatory access to tender notices through electronic tendering systems satisfactory under Article 14. of the Trade, Investment and Labour Mobility Agreement (TILMA) as signed by the Governments of Alberta and British Columbia.

2. Site Location

Situated where the stunning foothills of the Rocky Mountains meet the fertile plains of the Canadian West, Mountain View County is located in the heart of Alberta's Calgary-Edmonton corridor.

Mountain View County offices are open Monday to Friday: 8:00 a.m. to 4:00 p.m., except for holidays and weekends. The Mountain View County office is located off Highway 2A, between Olds and Didsbury, at 1408 - Township Rd 320.

Our postal address is: PO Bag 100, Didsbury, Alberta, T0M 0W0

3. Objectives and Scope

The overall objective of this project is to provide a Presentation, Executive Summary, and Written Report on the Consultant's independent review of issues raised by the petitioners in 2009, including the findings and recommendations of the Consultant to Mountain View County Council. The Written Report will be in plain language and be suitable for a general public audience. The Presentation of the findings and recommendations shall be made to a public meeting where the public, Directors of the Rural Roots Association, and Mountain View County Reeve, Councillors, and staff are invited.

The detailed scope of services is outlined in Section 4. of this Request for Proposal.

4. Detailed Scope of Services

The scope of services for this project will include the following:

- (a) The Consultants Presentation and Written Report will be focussed on those issues raised by the petitioners during the period from September 2009 to the date of the presentation of the petition to the Minister of Municipal Affairs on December 16, 2009.
- (b) As background information to the development of the Presentation and a Written Report the Consultant shall:
 - (i) review of all email and written correspondence (approximately 800 pages) from the public and the Rural Roots Association to Mountain View County, it's staff, and Council members, and all responses (available for review at Mountain View County offices by the Consultant prior to the Deadline for Proposal submissions);
 - (ii) review of all newspaper or website articles and letters (approximately 200 pages) regarding issues raised by the Rural Roots Association members and the public up to December 16, 2009 (available for review at Mountain View County offices by the Consultant prior to the Deadline for Proposal submissions);
 - (iii) review relevant Council, administration, and department records and processes as necessary; and

- (iv) review human resource records and human resource processes subject to the requirements of Section 5.
- (c) Conduct interviews with the Directors of the Rural Roots Association:
 - (i) undertake interviews with the Directors of the Rural Roots Association; and
 - (ii) review information presented by the Rural Roots Association relevant to the issues raised by the petitioners during the period up to December 16, 2009.
- (d) Receive input from the public:
 - (i) advertise to the public the methods and processes that the Consultant provides for submission of input to the Written Report from the public;
 - (ii) review information submitted by the public relevant to the issues raised during the period up to December 16, 2009; and
 - (iii) include in those methods and processes under 4.(d)(i) a telephone survey to consult the community on the municipality's strengths and opportunities for improvement. The telephone survey shall be undertaken by a qualified public affairs polling organization, provide a response from an adequate sample size, accept responses from electors of Mountain View County and persons owning land in Mountain View County, include not less than 20 questions that are suitable to Mountain View County for year to year repetition for the ongoing measurement of citizen satisfaction with Mountain View County services, and include not less than 10 questions directly relevant to the issues raised by the petitioners during the period up to December 16, 2009.
- (e) Conduct interviews with members of Mountain View County Council:
 - (i) undertake interviews with the Reeve and Councillors of Mountain View County; and
 - (ii) review information presented by the Reeve and Councillors of Mountain View County relevant to the issues raised by the petitioners up to December 16, 2009.
- (f) Conduct interviews with members of Mountain View County staff:
 - (i) undertake interviews with those staff identified in email and written correspondence between the Rural Roots Association and Mountain View County, its staff, and Council members; and
 - (ii) undertake interviews with Mountain View County staff, as selected by the Consultant, necessary to complete the Written Report.
- (g) The Written Report shall include not less than the following:
 - (i) confirmation that the Consultant has provided an independent review of the issues raised by the petitioners in 2009;
 - (ii) a summary of the input received from the Directors of the Rural Roots Association;
 - (iii) a summary of the input received from the public;
 - (iv) a summary of the input received from the Reeve and Councillors of Mountain View County, and Mountain View County staff;
 - (v) a review of the Mountain View County administrative, planning and governance processes in place;
 - (vi) reporting if administration has acted illegally or inappropriately;
 - (vii) reporting if planning has acted illegally or inappropriately;
 - (viii) reporting if Council has acted illegally or inappropriately;
 - (ix) reporting if operations has acted illegally or inappropriately;
 - (x) results of the consultation of the community through a telephone survey;
 - (xi) evaluation of the municipality's strengths and identification of the potentials for improvement; and
 - (xii) findings and recommendations from the Consultant.
- (h) Submit a Presentation and Written Report:
 - (i) in order to ensure independence of the Consultant's review process, no draft of the Presentation, Executive Summary, or Written Report shall be submitted to Mountain View County, or any other party, prior to the Presentation;
 - (ii) advertise in each of the two weeks prior to the Presentation the location rented by the Consultant, and the date and time of the event, and invite the Directors of the Rural Roots Association, and Mountain View County Reeve, Councillors, and staff to the event;
 - (iii) Presentation of the findings and recommendations of the Written Report at the advertised public event;

- (iii) provide copies of an Executive Summary, including the findings and recommendations of the Written Report to the attendees at the Presentation;
- (iv) present the Written Report to Mountain View County Council at a public Council Meeting held after the Presentation; and
- (v) provide electronic copies of the Presentation, Executive Summary, and Written Report to Mountain View County in a satisfactory electronic format.

5. Freedom of Information and Protection of Privacy Act (FOIPP)

- (a) Compliance with FOIPP:
 - (i) the Consultant will enter into an agreement regarding the access to Mountain View County records in compliance with FOIPP;
 - (ii) the Consultant will be provided access to human resource records and the content of the Written Report shall be limited to that information permitted by FOIPP. The Consultant shall obtain their own legal opinion on the scope of human resource information that can be included in the Written Report;
 - (iii) notes regarding human resource matters and copies of Mountain View County records containing private information as defined under FOIPP shall be destroyed by the Consultant immediately after the written report is received by Mountain View County Council; and
 - (iv) notes taken by the Consultant during interviews, and notes and information from items submitted by the public that are stated by the provider as being confidential, shall not be shared by the Consultant with Mountain View County or any other person or organization, and shall be destroyed by the Consultant immediately after the Written Report is received by Mountain View County Council.

6. Schedule and Resources

- (a) The Consultant shall complete all work under this request for proposal prior to the October 2010 municipal elections. The Technical Review will provide higher scores to those proposals that complete this project on or before Wednesday, July 7, 2010.
- (b) The Consultant will be expected provide the resources necessary, at their cost, to complete the project by the date specified in the proposal.
- (c) Mountain View County will provide the following resources at no cost to the Consultant:
 - (i) copies of County held documents as identified by the Consultant;
 - (ii) working space for the Consultant's associates (booked in advance); and
 - (ii) private space for Council and staff interviews (booked in advance).

7. Submittal Requirements

- (a) All interested and qualified Consultants are invited to submit a proposal for consideration. Submission of a proposal indicates that the Consultant has read and understands this entire Request for Proposal (RFP), including all attachments and all concerns regarding this RFP have been satisfied.
- (b) Proposals must be submitted in the format described. Proposals are to be prepared in such a way as to provide a straightforward concise description of capabilities to satisfy the requirements of this RFP. Expensive bindings, colored displays, promotional materials are not necessary. Emphasis should be concentrated on conformance to the RFP instructions, responsiveness to the RFP requirements, and on completeness and clarity of content. Proposals must be complete in all aspects. A proposal may not be considered if it is conditional or incomplete. All proposals and materials submitted will become property of Mountain View County.
- (c) Hand carried proposals may be delivered to Mountain View County Office (1408 Township Road 320) between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday excluding holidays observed by the County. Consultants are responsible for informing any commercial delivery service, if used, of all delivery requirements, and for ensuring that the address information appears on the outer wrapper or envelope used by such service.

Note: Some delivery services cannot guarantee delivery to rural locations such as the Mountain View County Office.

- (d) Proposal Presentation
- (i) All proposals must be submitted on 8 ½" x 11" paper, neatly typed, with no less than ½" top, bottom, left, and right margins and single spaced. Typeface must be no more than 12 characters per inch. Each page, including exhibits and attachments, must be clearly and consecutively numbered at the bottom of each page.
 - (ii) One (1) original and (13) copies, total of (14), of the complete proposal must be received by the deadline. The original and all the copies must be in a sealed envelope or container stating on the outside: Consultants Name, Address, Telephone Number, Proposal Due Date, and the text **"NOT TO BE OPENED"**, and **"RFP for Review of Issues Raised by Petitioners."**
- (e) Cover Page(s)
- (i) Submit RFP coversheet on letterhead stationary, signed by a duly authorized officer, employee, or agent of the organization/firm submitting the proposals that must include the following information:
 - A statement that the proposal is submitted in response to the Request for Proposal for Review of Issues Raised by Petitioners;
 - A statement indicating which individuals, by name, title, address and phone number, are authorized to enter into a contract, and negotiate the terms thereof, with Mountain View County on behalf of the organization/firm; and
 - A statement certifying that the undersigned, under penalty of perjury, is an agent authorized to submit proposals on behalf of the organization/firm.
 - (ii) State whether the firm can provide all of the services listed in the Detailed Scope of Services. As best as possible describe the approach that the firm will use to carry out the Detailed Scope of Services. If the firm is utilizing a team approach, state all of the members of the team.
- (f) Statement of Qualification. Include the following in this section of the proposal:
- (i) General description of your firm, including size and length of time in business;
 - (ii) A summary of your firm's background and specific experience on similar projects;
 - (iii) Location of offices providing services to Mountain View County;
 - (iv) List of municipal projects completed that make your firm competitive for the scope of work in this RFP. Show a general description of projects, the organization for which they were undertaken, and dates completed;
 - (v) Types of municipal government projects in which your firm has expertise. Demonstrating expertise in Alberta municipal governance and legislation; and
 - (vi) Any qualifications not previously described that make your firm unique.
- (g) Provide résumés of all key personnel who are proposed to be involved in this project, including descriptions of roles, work location, education/certificates, and experience in the area of municipal government.
- (h) Provide not less than three (3) references contacts from other clients, three (3) of which should be a public agency with whom you now work with or have worked within the last three (3) years and have established a contract on a project of a similar nature. Provide the agency/client name, contact name, address, phone number, project name and dates of service provided.
- (i) Indicate that you have no outstanding or pending complaints as determined by the Better Business Bureau and are in good standing with a professional association such as the Canadian Association of Management Consultants.
- (j) Statement of Good Faith. Include the following in this section of the proposal:
- (i) A statement that the offer made in this proposal is firm and binding for one hundred twenty (120) days from the date the proposal is opened and recorded;

- (ii) A statement that all aspects of this proposal, including cost, have been determined independently, without consultation with any other prospective Consultant or competitor for the purpose of restricting the competition;
 - (iii) A statement that all declarations in the proposal and attachments are true and that this shall constitute a warranty, the falsity of which shall entitle Mountain View County to pursue any remedy by law.
 - (iv) A statement that the Consultant agrees that all aspects of the RFP and the proposal submitted shall be binding if the proposal is selected and a contract awarded;
 - (v) A statement that the Consultant, if selected, will comply with all applicable contract requirements, rules, laws and regulations;
 - (vi) A statement that the Consultant agrees to respond to any reasonable inquiry made by Mountain View County for the purpose of clarifying any of the information contained in a Consultant's proposal. The submission of a proposal constitutes permission by the Consultant for Mountain View County to verify all information contained therein. If Mountain View County deems it necessary, additional information may be requested from the Consultant. Failure to comply with any such request may disqualify a Consultant from further consideration. Such additional information may include evidence of financial ability to perform;
 - (vii) A statement that the Consultant does not have any commitment or potential commitments which may impact the Consultant's assets, lines of credit, guarantor letters or ability to perform the contract; and
 - (viii) A statement that the consulting firm presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the service contemplated by the agreement with Mountain View County. No person having such interest shall be employed or associated with the Consultant during the term of this agreement.
- (k) Safety. The Consultant and all associates and agents shall comply with all safety policies and rules of Mountain View County.
- (l) Schedule. Include the schedule for the project, including the proposed date of the Presentation, and the proposed date of presentation of the Written Report to Mountain View County Council (meetings are normally held on Wednesdays).
- (m) Statement of Costs. The RFP shall state a fixed price for the project including all expenses and costs of the Consultant's work under the RFP, and state all terms of advances and payments.

8. Proposal Submission Deadline

- (a) All proposals must be received at the address above no later than 4:00pm, Tuesday, May 4th, 2010. Facsimile transmitted proposals will not be accepted. Postmarks will not be accepted in lieu of actual receipt. Late or incomplete proposals shall not be opened or considered. No exceptions will be made.
- (b) Questions regarding the content of this RFP must be submitted in writing on or before noon 12:00 (MDT) on Tuesday, April 27th, 2010 and directed to the individual listed below. Any clarification or interpretation of the proposal will be made by addendum. A copy of each addendum will be posted on the Mountain View County website www.mountainviewcounty.com on April 29th, 2010. Mountain View County is not responsible for any explanation, clarification, interpretation or approval made or given in any manner except by addenda.
- (c) All correspondence and the proposal are to be submitted to:
Doug Plamping, Chief Administrative Officer
Mountain View County
Postal Bag 100
Didsbury, Alberta
TOM OWO

Phone: (403) 335-3311 Fax: (403) 335-9207

E-mail: doug.plamping@mountainviewcounty.com

Website: www.mountainviewcounty.com

Reminder: Proposal envelope should be clearly marked "RFP for Review of Issues Raised by Petitioners"

- (d) Once this RFP has been issued, Consultants are specifically directed not to contact members of Council or County personnel for meetings, conferences or technical discussions related to this RFP. All questions and queries made in regards to this RFP will be made by issue of addenda or amendments to all interested parties. Failure to adhere to this policy may result in disqualification of the Consultant. All facts and opinions stated within this RFP and all supporting documents and data based upon information available from a variety of sources. No representation or warranty is made with respect thereto.

9. Selection Process and Schedule

- (a) Standard Review. All proposals will be subject to a standard review process by Mountain View County. A primary consideration shall be the effectiveness of the Consultant to deliver the services as describe in this RFP. Consultants identified as “finalists” may be asked to submit samples of previous work. Evaluation of the “finalists” proposals may include quality of requested work samples, results of references, and interviews. Mountain View County Council will make the final decision(s) as which proposal(s) will be considered for approval. To ensure the independence of the process, all proposals and any requested materials will be reviewed, and any interviews will be held, during a public Council meeting.
- (b) Initial Review. All proposals will be initially evaluated to determine if they meet all of the requirements as stated in this RFP. Failure to meet all of these requirements may result in a proposal being rejected as non-responsive. No proposal shall be rejected, however, if it contains a minor irregularity, defect or variation of the irregularity, defect or variation is considered by Mountain View County to be immaterial or inconsequential. In such cases the Consultant will be notified of the deficiency in the proposal and given the opportunity to correct the irregularity, defect or variation, or Mountain View County may elect to waive the deficiency and accept the proposal.
- (c) Technical Review. Proposals meeting the above requirements will be scored on the basis of the following criteria:
- (i) **40 Percent: Ability and Experience of Team to Carry out Project.** Professional and educational experience of key personnel to be assigned to the project, and the firm’s experience with this type of project;
 - (ii) **35 Percent: Schedule, and Approach to and Understanding of the Project.** Proposals will be evaluated based on the Consultant’s submitted schedule, and the Consultant’s understanding and approach to the scope of services desired, and the ability to meet Mountain View County’s objectives. The approach must demonstrate competence and familiarity in completing the Detailed Scope of Services; and
 - (iii) **25 Percent: Cost and Fees.** Proposal costs, including time and materials, fee structures and payment schedules are complete and clear. Proposals will be evaluated based on comparisons to other Consultants and to current market costs for comparable services as determined by Mountain View County.
- (d) Interview. The most competitive Consultants may be invited to an interview, which could include a presentation by the Consultant and questions by Mountain View County.
- (e) Final Selection. Final Selection will be based on determining which proposals will best meet the needs of Mountain View County as described in this RFP.

10. Contract Award

- (a) Contract(s) will be awarded based on a competitive selection of proposals received. The contents of the proposal(s) of the successful Consultant(s) will become contractual obligations and failure to accept these obligations in a contract may result in cancellation off the award. Award of the contract(s) may or may not be on an all or nothing basis. Mountain View County reserves the option to make award(s) as it deems to be in the best interest of Mountain View County.
- (b) Mountain View County may require the potential Consultant(s) selected to participate in negotiations, and to submit price, technical, or other revisions of their proposal as may result from negotiations. Mountain View County reserves the right to make one total award, one award for each subject area, or combination of awards,

which ever is in the best interest of Mountain View County. It is Mountain View County's sole discretion to extend an agreement with the Consultant to include additional services or to ascertain additional services through a separate RFP.

(c) Proposal Timelines Summary

| | |
|--------------------------------------|----------------|
| Release RFP | April 16, 2010 |
| Deadline for Submission of Questions | April 27, 2010 |
| Deadline for Proposal Submissions | May 4, 2010 |
| Tentative Date for Awarding Contract | May 5, 2010 |

11. Other Information

- (a) Acceptance or Rejection of Proposals. This RFP does not commit Mountain View County to award a contract. Mountain View County reserves the right, in its sole discretion, to accept or reject any proposals when it is in the public interest to do so; to waive minor informalities of proposals; or to cancel, revise or extend solicitation. Proposals shall remain open, valid and subject to acceptance anytime within one hundred twenty (120) days after the proposal opening and up to the end of the agreement period. Mountain View County realizes that conditions other than a price are important and will award contract(s) based on the proposal that best meets the needs of Mountain View County.
- (b) Modifications to the RFP. Mountain View County reserves the right to issue addenda or amendments, or change the timelines to this RFP.
- (c) Incurred Costs. This RFP does not commit the County to any costs incurred in the preparation of a proposal in response to this request and Consultant(s) agree that all costs incurred in developing their proposals are the Consultant's responsibility.
- (d) Final Authority. The final authority to award a contract(s) rests solely with the Council of Mountain View County and their designates.
- (e) Disputes Relating to Proposal Process and Award. In the event a dispute arises concerning the proposal process prior to the award of the contract, the party wishing resolution of the disputes shall request in writing to the Chief Administrative Officer, within a ten (10) days of notification of non-selection. Grounds for an appeal are that Mountain View County failed to follow the selection procedures and adhere to requirements specified in the RFP or any addenda or amendments; there has been a violation of Provincial or Federal Law. Appeals will not be accepted on any other grounds. Mountain View County will consider only those specific issues addressed in the written appeal. The Chief Administrative Officer or designee shall consider the request and respond in writing within ten (10) days of receipt. The decision of the Chief Administrative Officer shall be final with respect to matter of fact. All disputes and/or must be submitted to:

Doug Plamping, Chief Administrative Officer
 Mountain View County
 Postal Bag 100 Didsbury, Alberta
 TOM OWO