

**City of Sanford Downtown Municipal
Service District Firm/Organization
Solicitation
Request for Qualifications**

DATE OF ISSUE: Friday, April 28, 2023

Introduction

The City of Sanford is soliciting qualifications from firms/organizations to partner with City staff to provide enhanced services in the Downtown Sanford Municipal Service District (MSD). In September 2015, the N.C. General Assembly adopted legislation impacting the process by which cities contract with private/non-profit agencies providing services within an MSD. The legislation also outlined certain contractual requirements including specifying the purposes for which City funding is to be used in the MSD and appropriately accounting for the funding at the end of each fiscal year. The purpose of this Request for Qualifications (RFQ) is to provide a fair evaluation for all candidates and to provide the candidates with the evaluation criteria against which they will be chosen.

History of Downtown Sanford MSD

The City of Sanford has had a Downtown Sanford MSD in place since 1980; in June 1989, Sanford City Council expanded the boundaries of the district to its present size (see Attachment A). Within this area or district, the City collects an additional property tax above the City and County property tax, with the proceeds being used exclusively on projects, programs, and additional services within the district. An MSD can provide a wide range of downtown projects including but not limited to street and sidewalk improvements, promotional and marketing efforts, increased security, festivals and markets, enticing business investment, building façade improvements, etc.

Project Description and Requested Services

As allowed by N.C. General Statutes Chapter 160A, Art. 23, the City is seeking a private or non-profit firm/organization to administer and manage the projects, programs, and services within the MSD. These services will require a strong knowledge in providing services within a downtown area, while understanding the needs for both commercial and residential stakeholders. Also required is a strong knowledge of local government practices, federal and state regulations, and physical limitations within the district.

Schedule

Date of Issue: April 28, 2023

Deadline for RFQ Questions: May 5, 2023 until 5:00 p.m. EDT

Post Responses to RFQ Questions: May 8, 2023 by 5:00 p.m. EDT

Deadline for Qualifications: May 12, 2023 by 5:00 p.m. EDT

Performance Schedule

Services within the MSD will be performed during the City's annual fiscal year, July 1 through June 30. In the first year of what is expected to be a five-year contract, the services will be performed from the date of contract approval until June 30, 2024.

Submittal Deadline and Requirements

This is an open and competitive process. Agencies are invited to submit qualifications for providing the requested services to the City by 5:00 p.m. EDT, May 12, 2023. Proposals submitted after this deadline will not be considered.

All proposals are to include two (2) printed copies delivered to:

City of Sanford/Lee County Planning Dept.

Attn: David Montgomery

115 Chatham Street

Sanford, NC 27330

Additionally, (1) PDF copy must be emailed to david.montgomery@sanfordnc.net.

Submissions should be clearly marked as "*Response to Sanford Municipal Service District RFQ.*"

Respondents are urged to carefully check proposals for conformance with the requirements stated in this RFQ. All requirements and questions should be addressed and all requested data should be supplied. The City reserves the right to request additional information which, in its opinion, is necessary to ensure that the proposer's competence and business organization are adequate to perform according to the contract.

Agencies are urged to provide a straightforward, concise delineation of capabilities to satisfy the requirements of the RFQ and to emphasize the firm/organization's demonstrated capability to provide services of this type.

Questions/Requests for Information

Questions for clarification will be accepted until 5:00 p.m. EDT, May 5, 2023. Questions along with appropriate responses will be distributed via email to all registered firms by 5:00 p.m. EDT, May 8, 2023.

Qualification Outline and Requirements

Interested private/non-profit respondents shall submit the following information, organized as outlined below. The completed proposal should not exceed 10 pages in length.

Cover Letter – Provide a concise summation of information provided in the proposal in a cover letter, signed by an owner, director, chairman, or responsible party, including his or her title that he or she has authority to submit the proposal on behalf of the firm/organization.

The following information should be included:

A statement that the proposal is and shall remain valid for not less than 90 days and a brief narrative describing the overall approach and plans to meet the requirements of the RFQ that conveys that the respondent understands the nature of the work and the level of effort necessary to successfully provide the defined services.

Team Organization, Certifications/Qualifications, and Experience - This section should describe the qualifications of the firm/organization and key staff to demonstrate the Respondent's ability to perform the requested services. The following information should be included:

Team Organization

Describe the firm/organizational structure, including roles assigned to key personnel, board structure, partner agencies and volunteer participation. If the firm/organization is served by a Board of Directors, provide a list of members for the Board of Directors.

Certifications/Qualifications

List the names and qualifications of specific staff that will be providing the defined services. Resumes for key staff should be included and will not count towards the page limits of the proposal.

Experience

Summary of the firm/organization's recent experience in providing similar services. Provide Project names and descriptions including outcomes of at least two (2) similar projects/services completed by the firm/organization within the last five (5) years

Project Narrative – This section should have a narrative explaining the proposed approaches to completing the services described under Scope of Work below. The following information should be included:

- The proposed approaches should follow and utilize the Main Street® philosophy and Four Point Approach® of Organization, Design, Promotion and Economic Vitality in its downtown revitalization efforts to enhance its status as a North Carolina Main Street community
- The proposed approaches should address the prevalent needs of the MSD identified by property owners, business owners, and residents, outlined in the recent MSD SURVEY conducted by the City (Attachment B).
- A description of each task, deliverable, and a schedule for addressing each need should be included.
- Provide measurable and quantifiable metrics that support outlined services and how success will be measured.
- Discuss the mechanism(s) the organization will use for ongoing feedback of services.
- Discuss how the organization will leverage funding from other sources.

- Discuss how the organization will assist and support the City in the implementation of its Long Range “PlanSanLee” Land Use Plan, as it relates to downtown.
- Provide information on the amount of funding spent on management and overhead costs.
- Propose a contract term (NC State Statute legislation allows for a term from 1-5 years).

Proposed Budget – Provide a proposed budget for one (1) year of services

Scope of Work

The firm/organization selected to administer the MSD shall be responsible for the following:

- Administering the City of Sanford’s Main Street Program
- Developing and managing business retention, marketing and recruitment efforts downtown
- Establishing partnerships with city staff, county staff, area non-profits and others as needed to advance downtown plans for public improvements and private redevelopment, including but not limited to, advising the City Council and Planning Board on parking and loading/unloading issues
- Working with property owners to identify development opportunities, including upper floor use
- Working with the NC Main Street Program, financial institutions, city staff and others to identify additional funding opportunities for downtown development
- Planning and implementing downtown promotions
- Attending to the prevalent needs of the MSD identified by property owners and residents, outlined in the *SURVEY RESULTS (2023)*.
- Preparing and presenting to City Council an annual report of needs of the service district, completed projects, and pending projects. Prior to each annual report, the firm/organization shall seek input of the property owners and residents of the service district regarding needs for the upcoming year and include that in the annual report.
- Preparing and presenting to the City Manager an annual audit.
- Coordinating downtown events
- Promoting and marketing downtown
- Coordinating downtown street closures with the entity requesting the street closure, the Street Dept., the Police Dept., and other city staff as needed
- Provide a “Downtown Sanford” website
- Carrying out any other activities that may be determined during the contract negotiations between the City and the firm/organization and other duties as assigned by the City Council.

Contract Terms

The City will negotiate contract terms upon selection. All contracts are subject to review by City of Sanford's legal counsel, in addition to Financial Services and Planning staff. A project will be awarded upon signing of an agreement or contract, which outlines terms, scope, budget and other necessary items.

General Terms of RFQ

- This RFQ does not commit the City to enter into an agreement or to pay any costs incurred in the preparation of this proposal or in subsequent negotiations.
- The issuance of this RFQ does not constitute an assurance by the City that any contract will actually be entered into by the City, and the City expressly reserves the right to waive any immaterial defect or informality in any response or response procedure
- Reject any and all proposals
- Reissue the RFQ
- Conduct negotiations with any firm/team as it deems is in the best interest of the City
- Invite additional respondents to the proposal
- Request additional information and data from any or all respondents.
- Extend the date for submission of responses
- Supplement, amend, or otherwise modify the RFQ and cancel this request with or without the substitution of another RFQ
- Disqualify any respondent who fails to provide information or data requested herein or who provides inaccurate or misleading information or data
- Disqualify any respondent on the basis of any real or apparent conflict of interest

By responding to this proposal, each respondent agrees that any finding by the City of any fact in dispute as to this proposal or the responses thereto shall be final and conclusive except as provided herein.

Proprietary Material

The City assumes no liability for disclosure of proprietary material submitted by respondents. Proposal submittals shall be considered public documents under applicable state law except to the extent portions of the submittals are otherwise protected under applicable law and are clearly marked as confidential.

Women and Minority Participation

It is the policy of the City to (1) provide minorities an equal opportunity to participate in all aspects of its contracting and procurement programs and (2) to prohibit any and all discrimination against persons or businesses in pursuit of these opportunities. Minority and/or women-owned non-profits are encouraged to apply.

You can access a listing of certified minority firms at either the State of North Carolina's Vendor search (<https://www.ips.state.nc.us/Vendor/SearchVendor.aspx>) or Office of Historically Underutilized Businesses (www.doa.state.nc.us/hub) to search for HUB vendors directly.

Ability to Obtain Required Insurance

The selected firm will be expected to provide and maintain for the duration of the project certificate(s) of insurance as required by the City's Risk Management office. Specific requirements are indicated below.

The Successful Responder agrees to keep and maintain for the duration of this Agreement including but not limited to commercial general liability, auto liability, workers' compensation, employer's liability, professional liability, and umbrella coverage with at least the minimum limits shown below. Respondent shall provide evidence of insurance coverage consistent with this requirement prior to contract award. The Respondent shall furnish the City with certificates of insurance for each type of insurance described herein, with the City listed as Certificate Holder and list the City, as an additional insured on the Respondent's general liability policy and provide a waiver of subrogation on the Respondent's workers' compensation policy. In the event of bodily injury or property damage loss caused by the Respondent's negligent acts or omissions in connection with Respondent's services performed under this Agreement, the Respondent's Liability insurance shall be primary with respect to any other insurance which may be available to the City, regardless of how the "Other Insurance" provisions may read. In the event of cancellation, substantial changes or nonrenewal, the Respondent and Respondent's insurance carrier shall try to give the City at least thirty (30) days prior written notice. No work shall be performed until the Respondent has furnished to the City the above referenced certificates of insurance and associated endorsements, in a form suitable to the City listing the City of Sanford as a Certificate Holder. Upon request, the Consultant shall provide the City copies of their insurance policies.

Commercial General Liability: \$3,000,000 per occurrence Commercial Auto Liability:
\$2,000,000 combined single limit Workers' Compensation: Statutory limits

Indemnification

The Successful Responder shall indemnify, defend and hold harmless the City and their subsidiaries, divisions, officers, directors and employees from all liability, loss, costs, claims, damages, expenses, attorney fees, judgments and awards arising or claimed to have arisen, from any injury caused by, or allegedly caused by, either in whole or in part, any act or omission of the Consultant or any employee, agent or assign of the Consultant. This provision is not applicable to any claim arising out of or related to any active or primary negligence of or by City, its officers or employees.

Nothing herein shall be construed as a waiver on the part of the City to any defense of any claim, including, but not limited to the defense of governmental immunity.

Evaluation of Qualifications

This is not a bid. There will not be a public bid opening. Qualifications will be evaluated based on but not necessarily limited to the following criteria:

Criteria	Weights
Overall quality and detail of submittal – demonstrated understanding of scope of services	25%
Qualifications and experience of the proposed team members for the requested services	25%
Demonstration of prior successes by organization with similar services and projects	25%
Ability to measure and report on future success	25%

Evaluation Process

A team, comprised of City staff will be responsible for the proposal evaluation. The team, in accordance with the criteria listed above, will evaluate all Qualifications received as specified. The City team members, in applying the major criteria above to the proposals, may consider additional sub-criteria beyond those listed. During the evaluation period, the City of Sanford reserves the right to interview the top-selected firms or all proposing firms before final selection.

The final selection will be the firm which, in the City’s opinion, is the most responsive and responsible, meets the City’s requirements in providing this service, and is in the City’s best interest. The City maintains the sole and exclusive right to evaluate the merits of the Qualifications received.

Firms will be objectively evaluated based on their responses to the project scope and submission requirements outlined in the RFQ. The written proposal should clearly demonstrate how the firm could best satisfy the requirements of the City.

The City reserves the right to make an award without further discussion of the proposal submitted. The City shall not be bound or in any way obligated until both parties have executed a contract. The City also reserves the right to delay the award of the contract or not award a contract. The RFQ may be awarded by individual task or total proposal, whichever is most advantageous to the City of Sanford.

The general conditions and specifications of the RFQ and the selected proposal, as amended by agreement between the City and the Contractor including e-mail or written correspondence relative to the RFQ, may become part of the contract documents. Failure of the Contractor to perform as represented may result in elimination of the Contractor from competition or in contract cancellation or termination.

The Respondent selected will be notified by telephone. Notification may not be given to those Respondent’s not selected. Once a Respondent is selected, the City and Respondent will negotiate a contract for services subject to approval by Sanford City Council and subject to the availability of funding. The Sanford City Council will conduct a public hearing prior to awarding the contract.

Attachment A



Attachment B



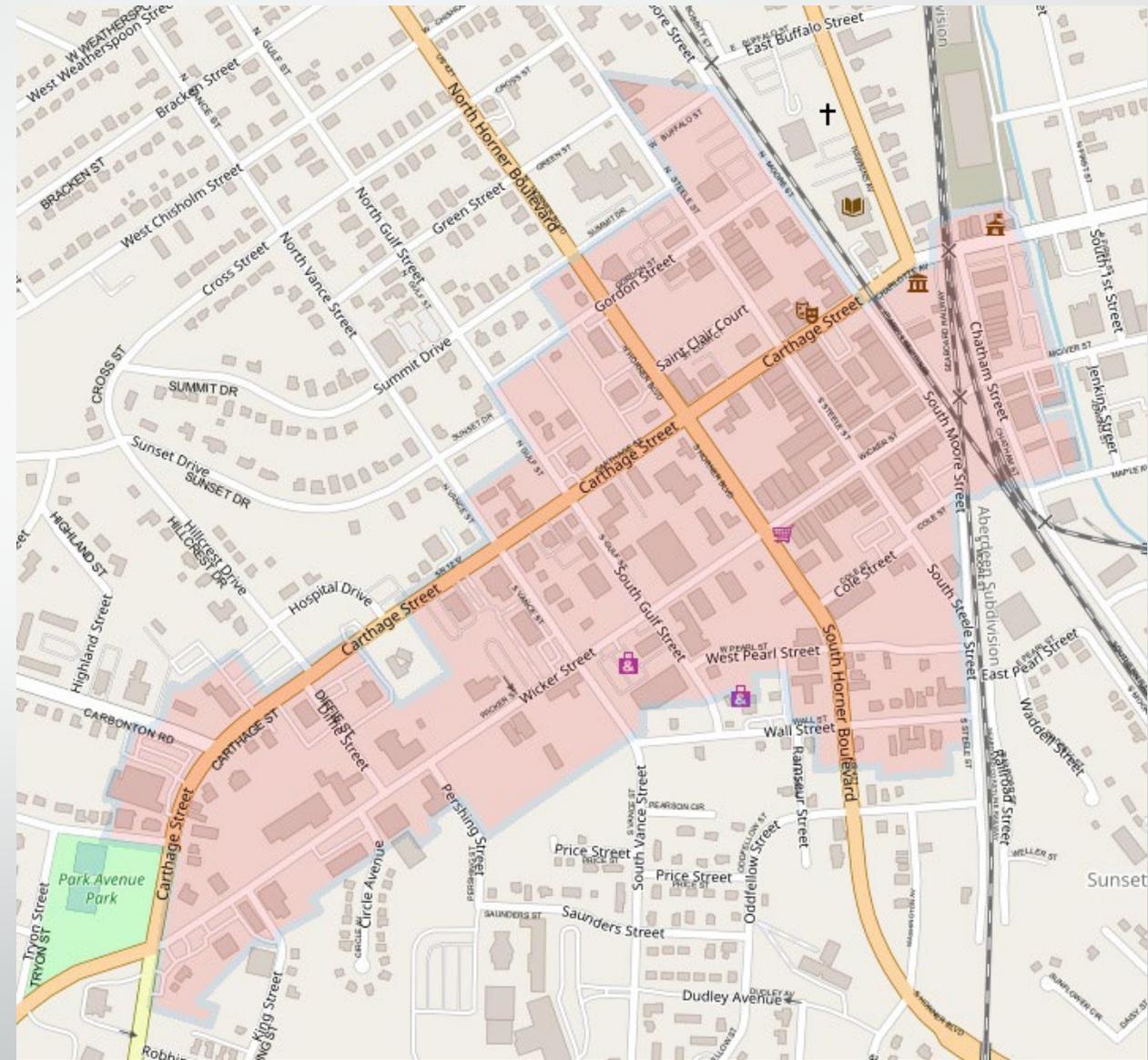
Survey Results for the Downtown Sanford Municipal Services District (MSD)

City of Sanford

2023

Sanford's Downtown Municipal Service District

- Established in 1980 and revised in 1989
 - 134 acres
 - \$.11 per \$100
- Generates approximately \$75,000 annually



MSD Authority

- A Municipal Service District (MSD) is an area with an additional property tax to provide extra projects or services in that area (G.S. 160A-536)
- An MSD can provide a wide range of downtown projects including but not limited to street and sidewalk improvements, promotional and marketing efforts, increased security, festivals and markets, enticing business investment, building façade improvements, etc.
- In order to carry out such services, a municipality can contract out use of the MSD funds to an outside agency through a bid process.

Background Info on MSD Survey

- In Sept. 2015 the General Assembly amended G.S. Chap 160A, Art. 23, in part to provide new requirements and standards for the use of tax revenue generated by MSDs
- The General Statutes now require Sanford to set the MSD tax rate after annual public input so that the City does not accumulate excess funds.
- In addition, municipalities that contract out use of the MSD funds to an outside agency must bid out those services every five years
- The City of Sanford recently sought public input from Downtown Sanford MSD Business Owners and/or Property Owners on the MSD's usefulness through the use of an on-line public survey.

- A total of 580 postcards were sent out to downtown property owners, business owners, and residents and over 100 emails
- Received 50 responses, for a response rate of 8.6%

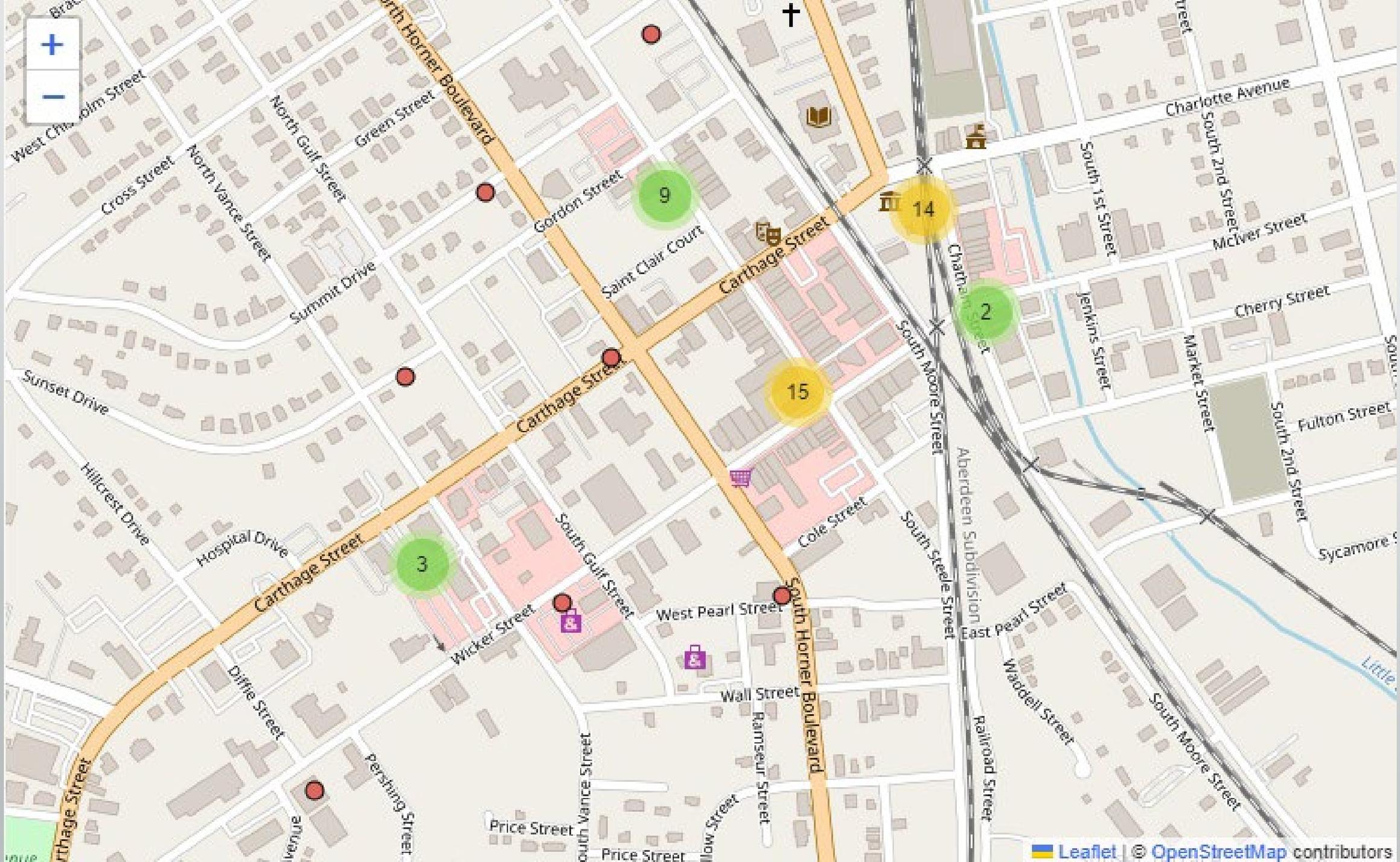


ABOUT THE
DOWNTOWN SANFORD
MUNICIPAL SERVICE
DISTRICT.

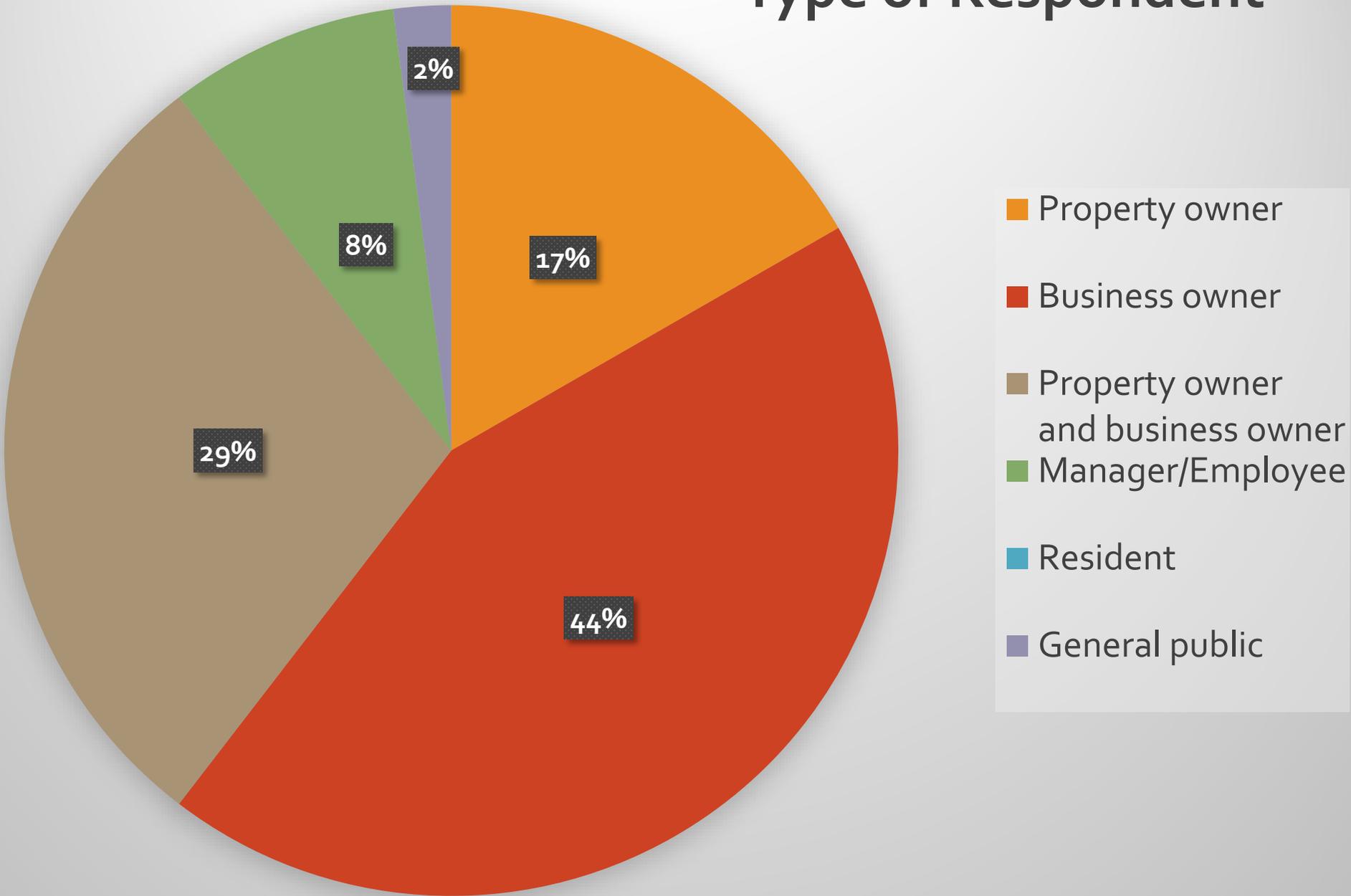
Scan the QR code to take
the survey or go to
www.tinyurl.com/dsmsd-survey



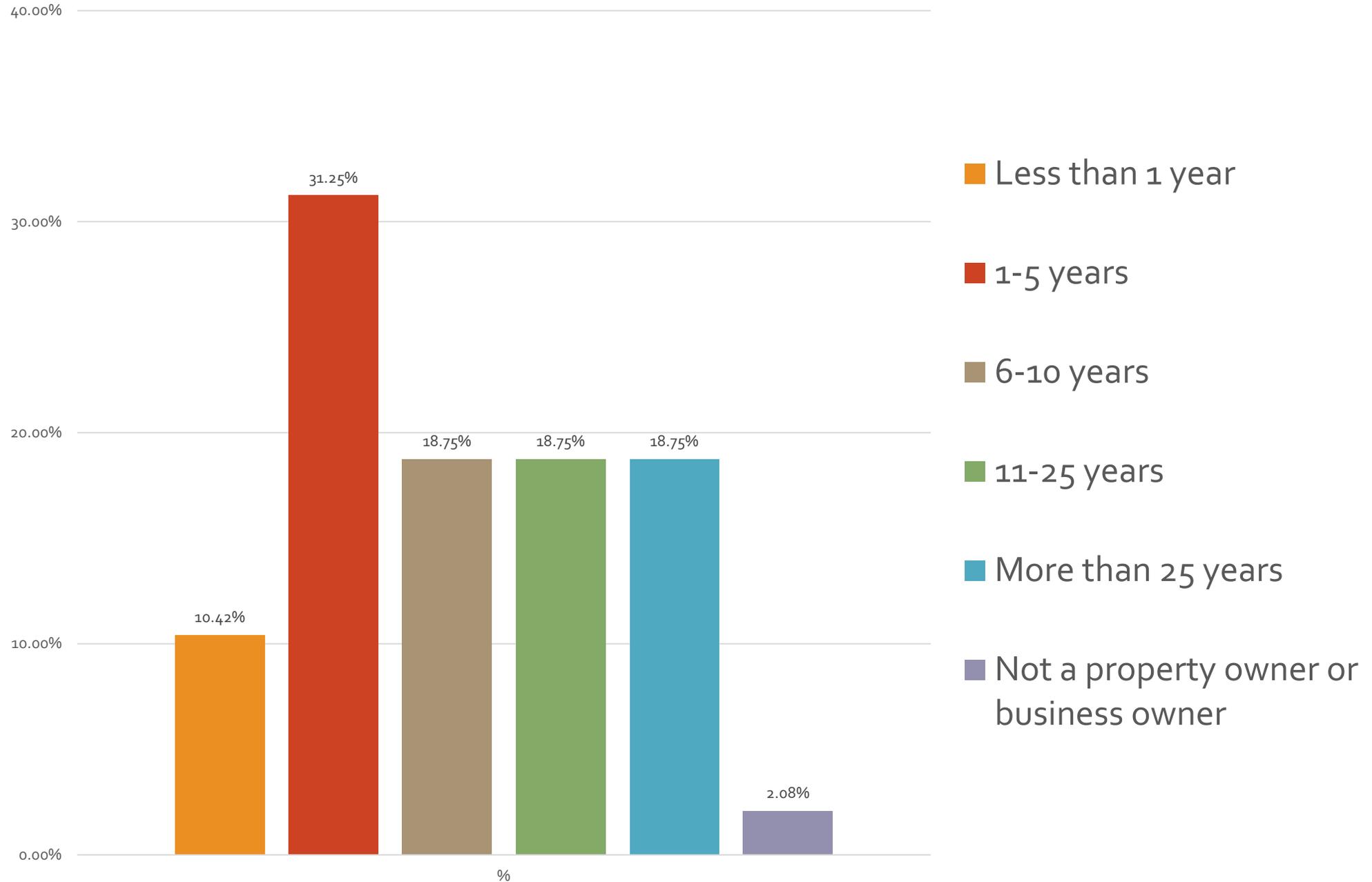
SURVEY ENDS FEBRUARY 20.



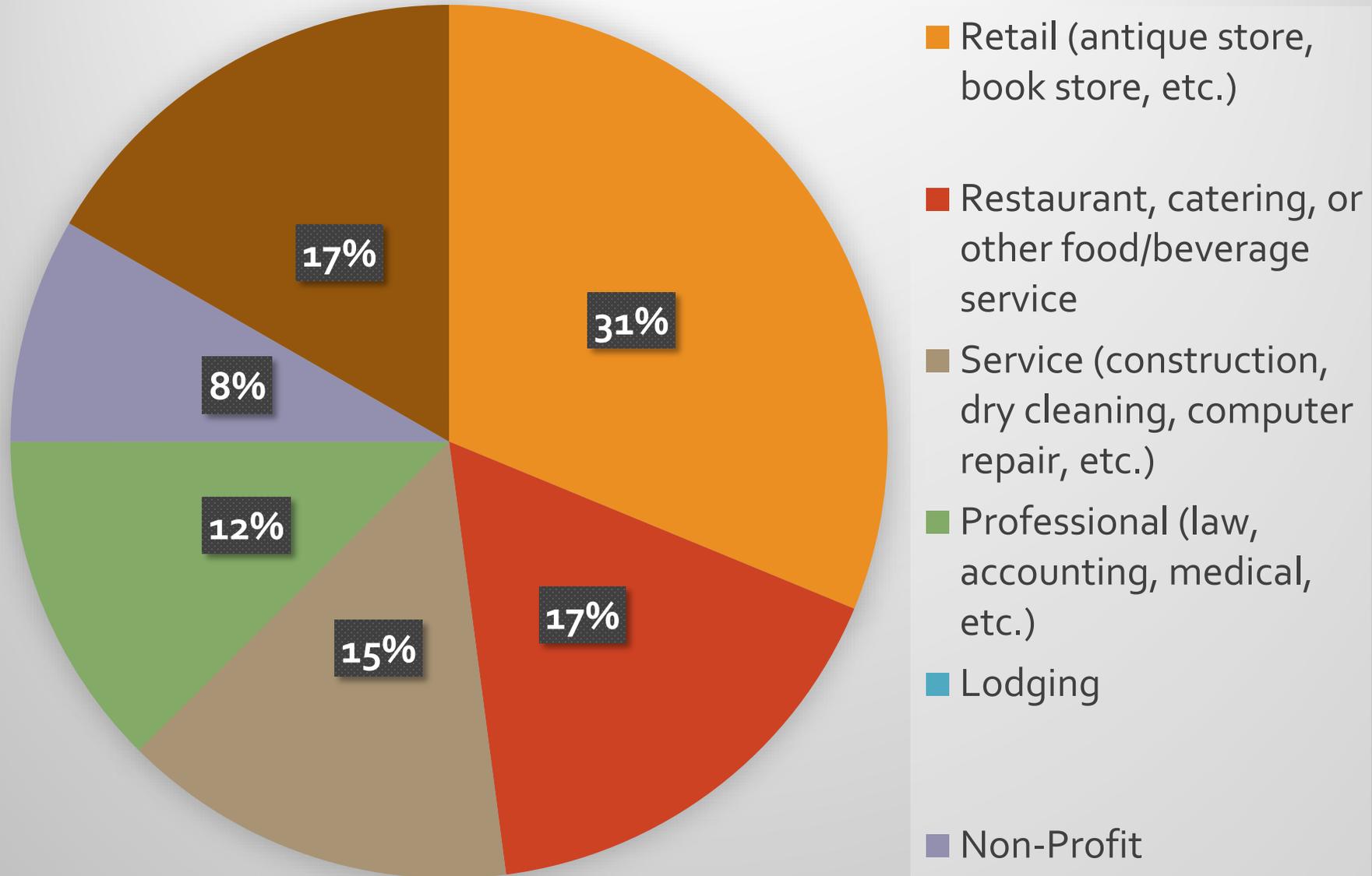
Type of Respondent



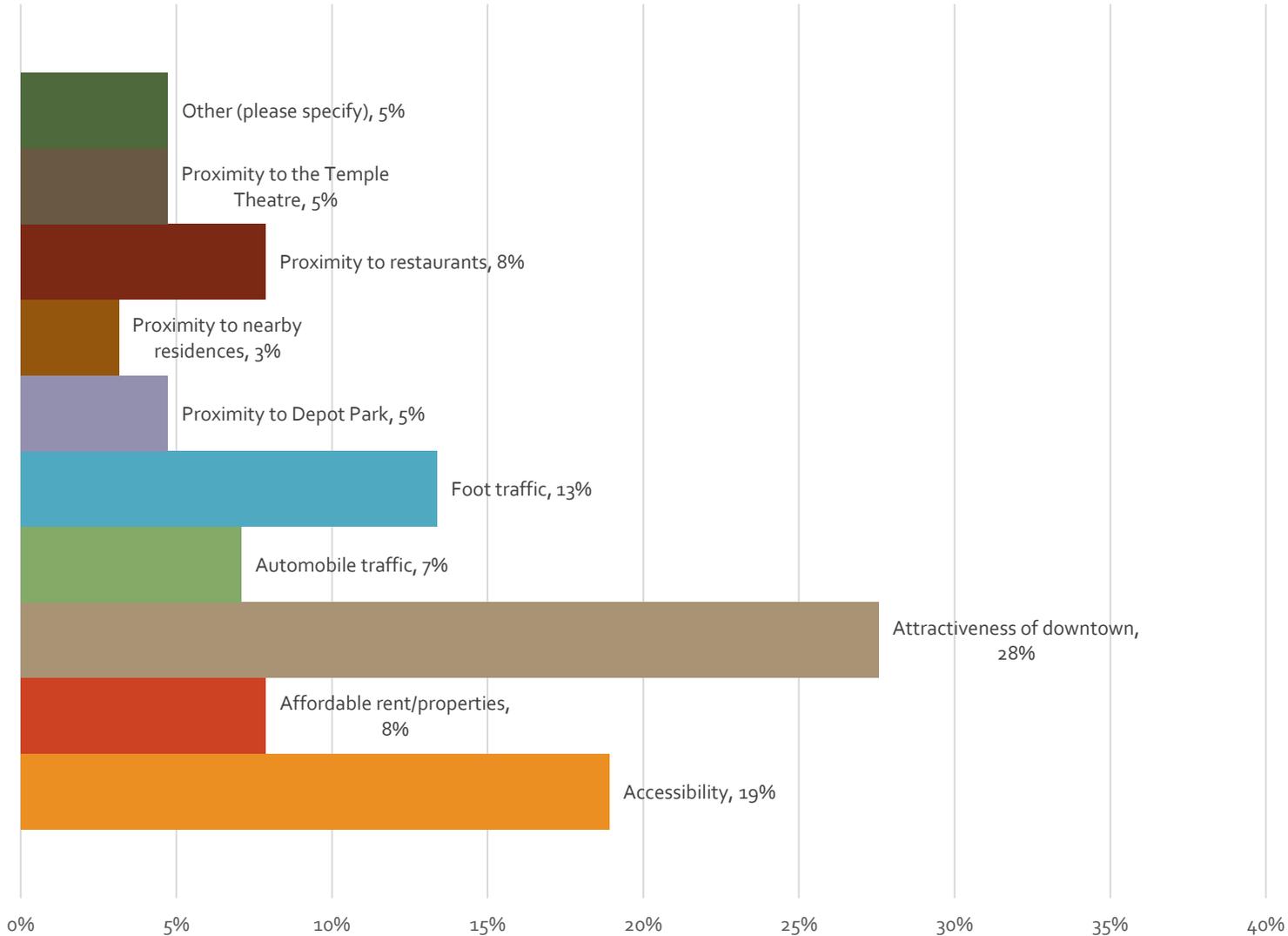
Ownership Years



Type of Business



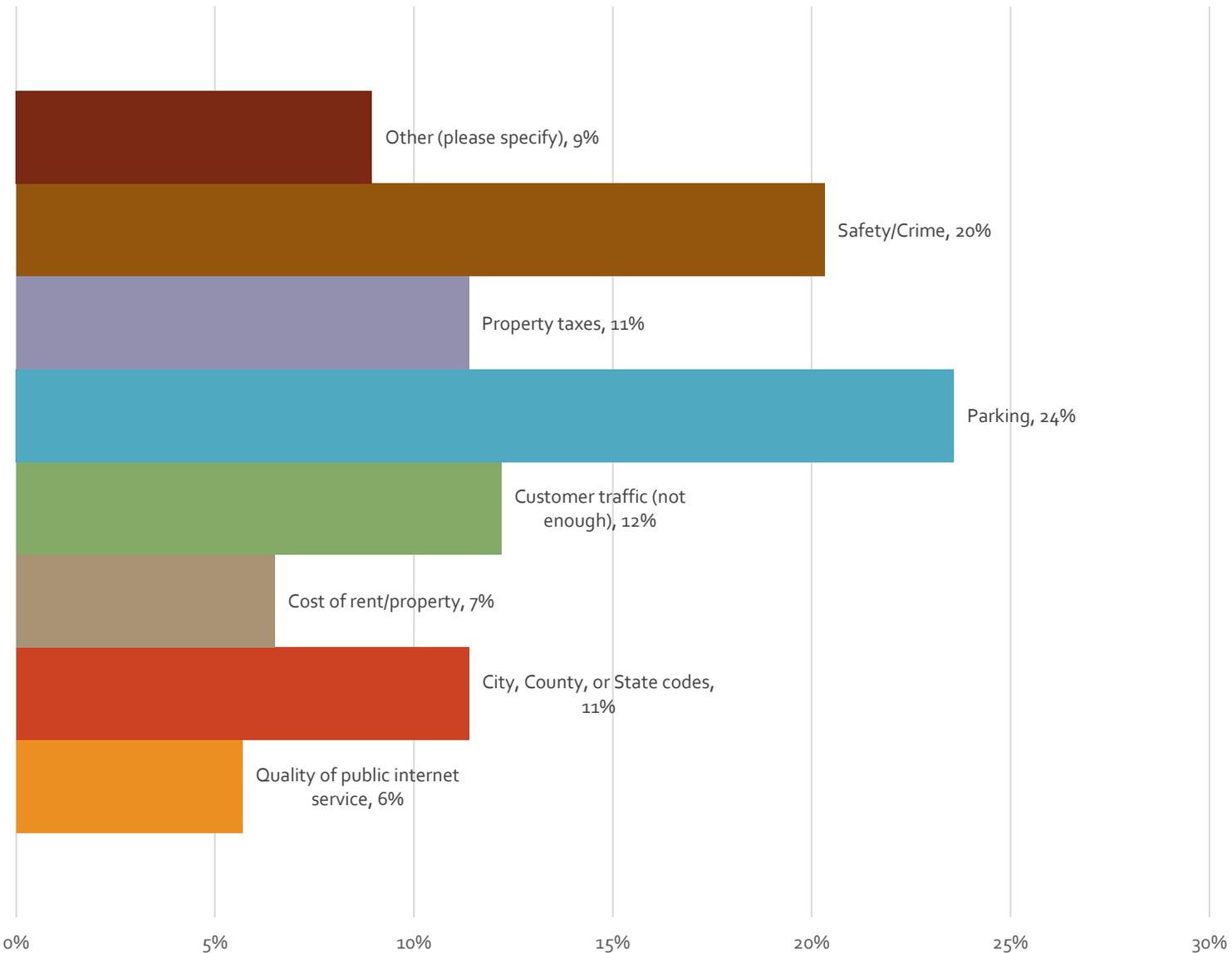
Three Advantages of being in the MSD



Top 3

- Attractiveness of Downtown
- Accessibility
- Foot traffic

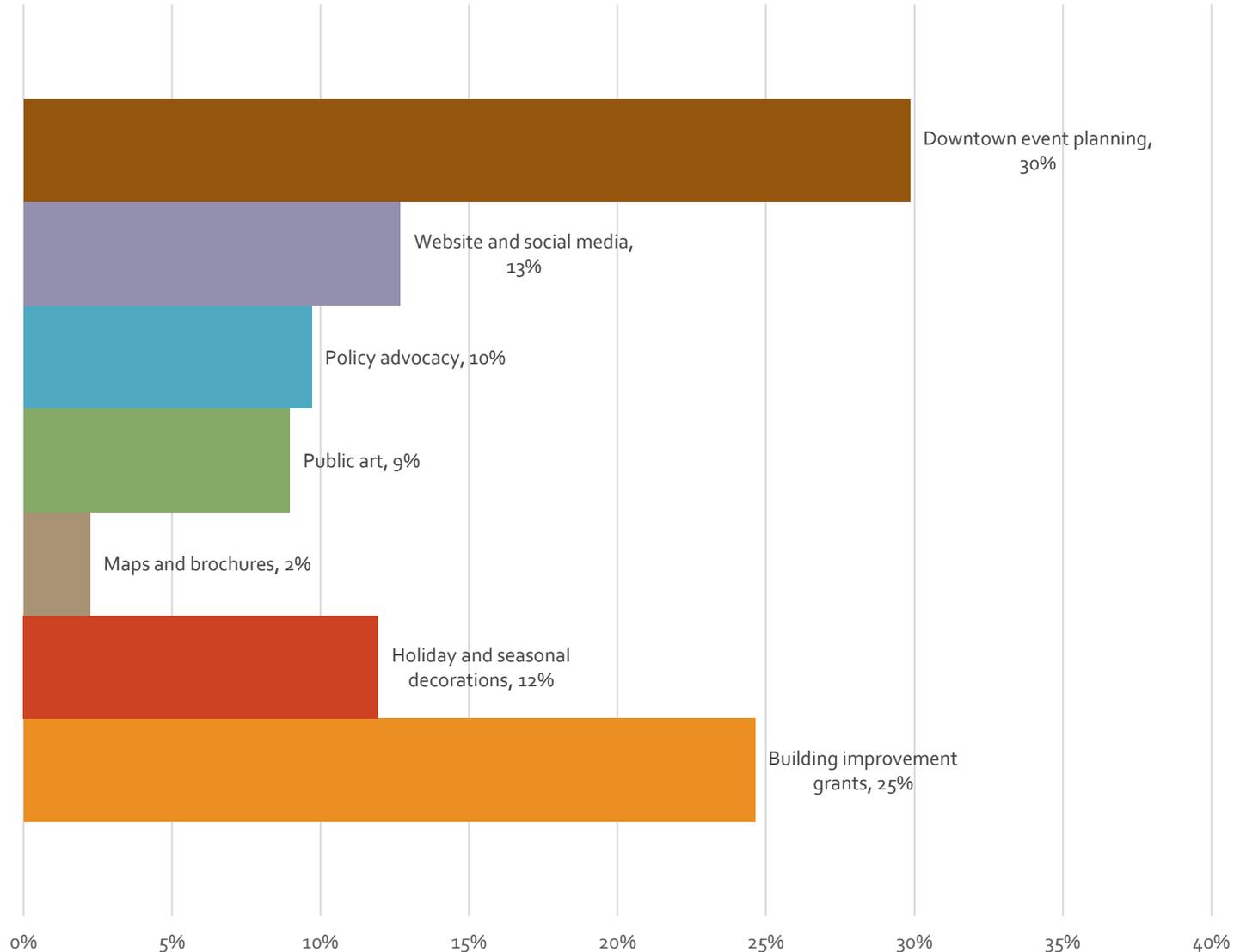
Three Obstacles of being in the MSD



Top 3

- Parking
- Safety/Crime
- Customer Traffic (not enough)

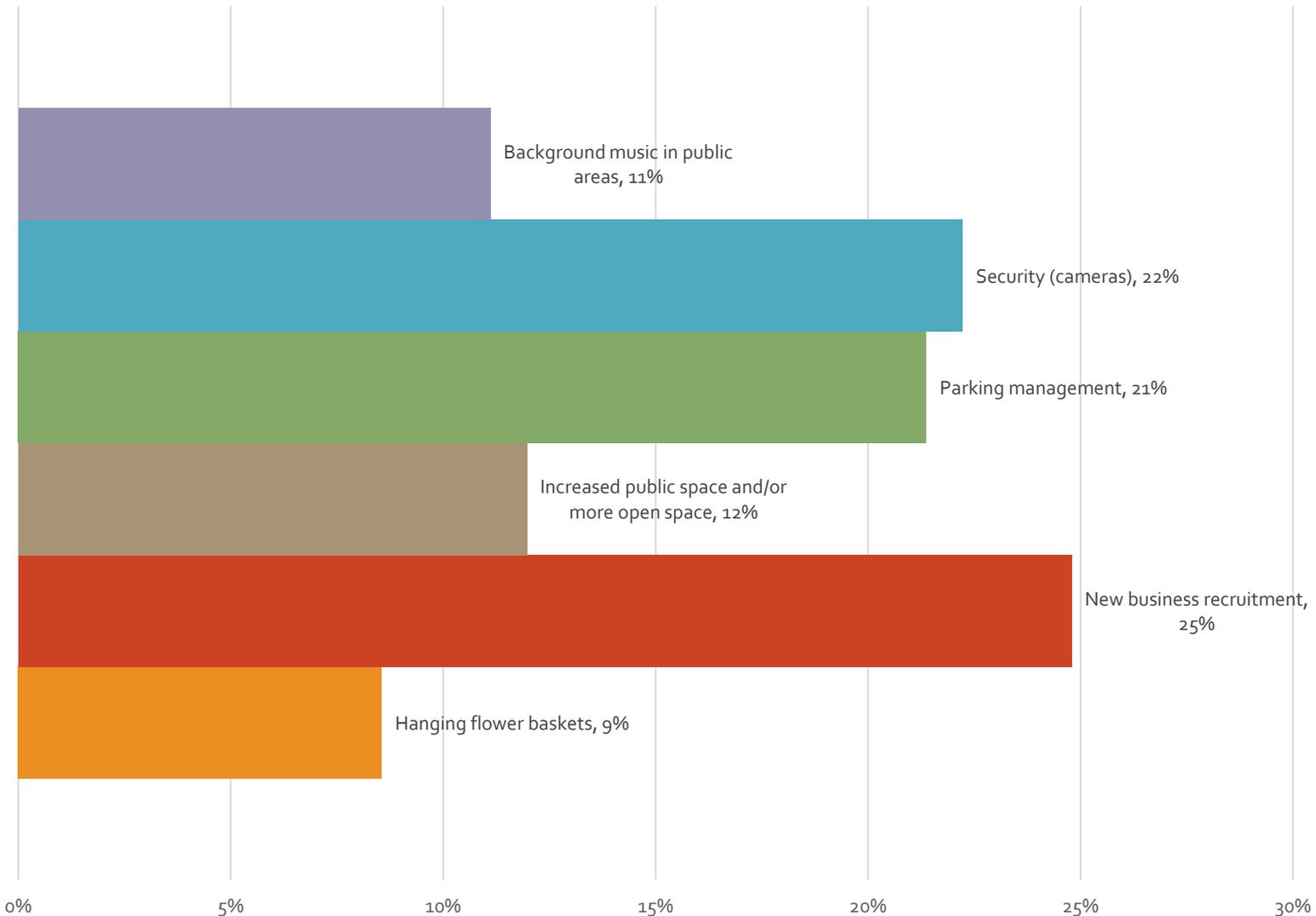
Three Existing Services funded by MSD that are the most Beneficial



Top 3

- Downtown Event Planning
- Building Improvement Grants
- Website and Social Media

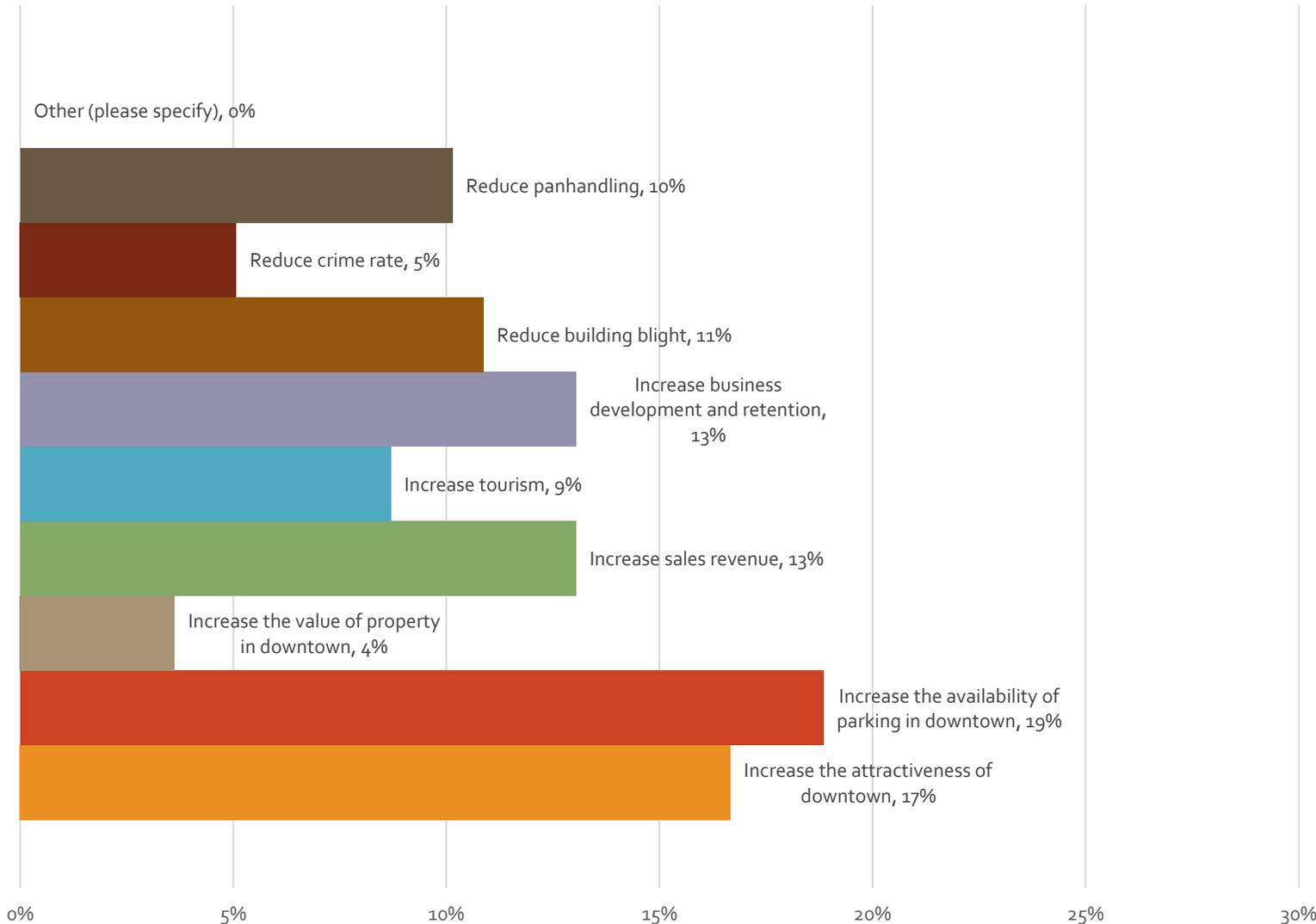
Three Potential Services which could be funded by the MSD



Top 3

- New Business Recruitment
- Security (cameras)
- Parking Management

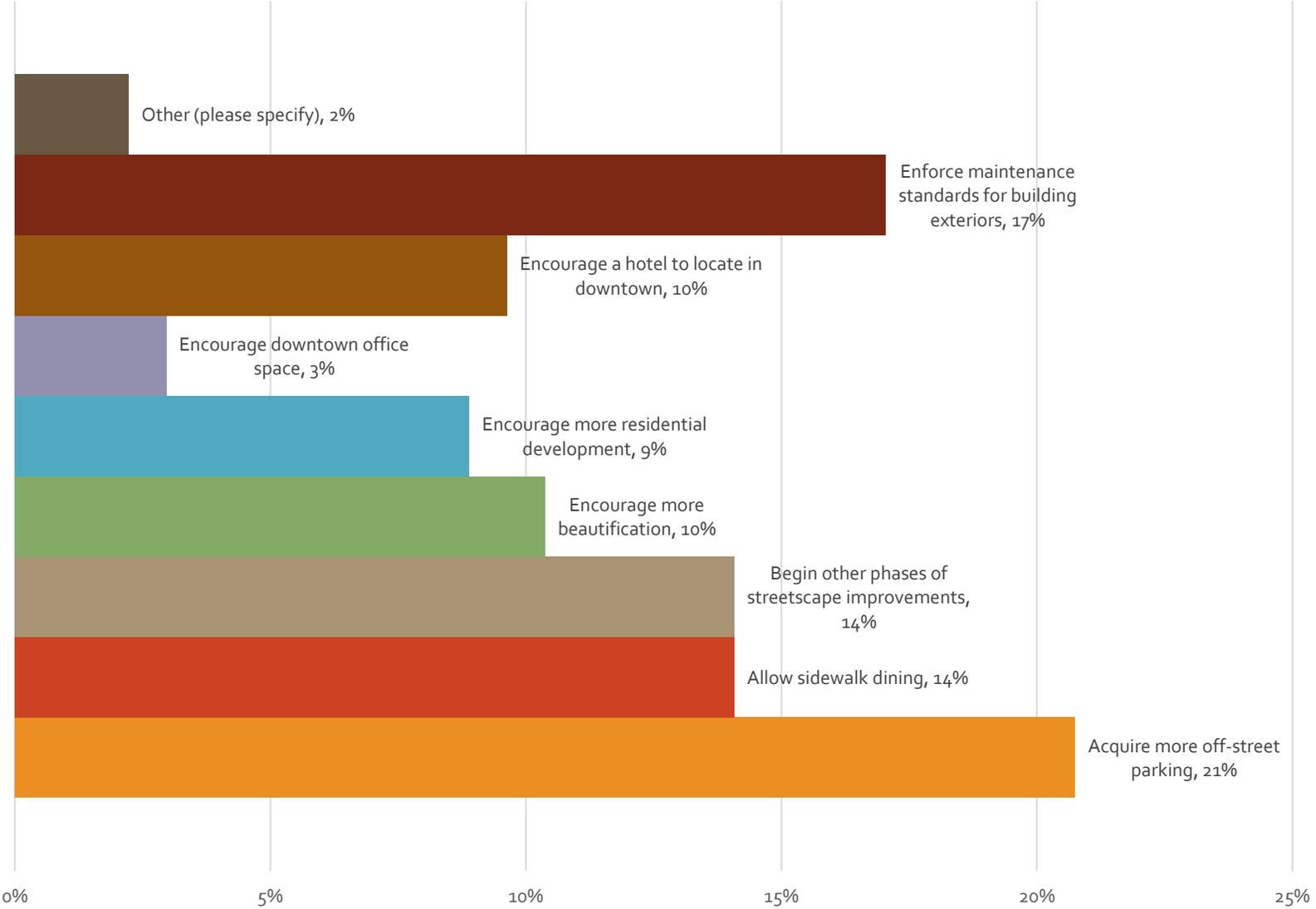
Three Outcomes of MSD Funded Activities



Top 3

- Increase Parking Availability
- Increase the Attractiveness of Downtown
 - Increase Business Development & Retention
 - Increase Sales Revenue

Three Public Policies or Capital Improvements that the MSD should Promote to Local Officials



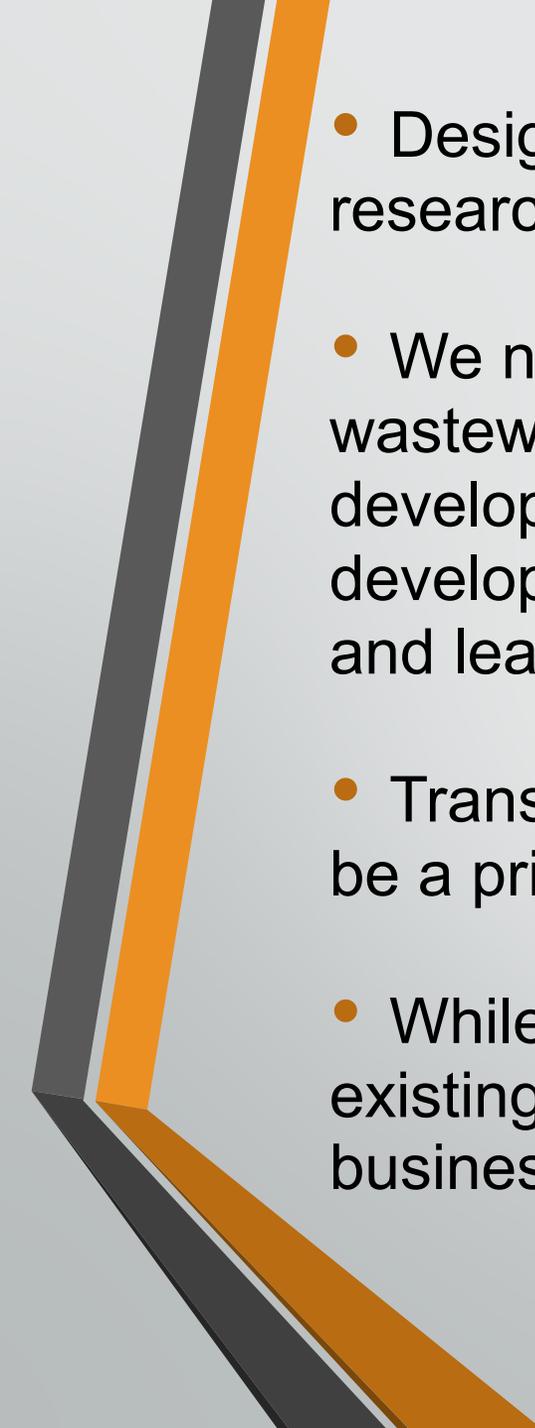
Top 3

- Acquire more Off-Street Parking
- Enforce Maintenance Standards for Building Exteriors
- Begin other Phases of Streetscape Improvements
- Allow Sidewalk Dining

What are some additional needs of the MSD that should be considered?

- Extend beautification past on Steele Street north of Carthage and south of Wicker Street
- The promotion of downtown Sanford needs to extend the whole of Steele Street. There is a distinct gap in beautification/events/interest between Steele Street South of Carthage and the area north of Carthage.
- Distribution of resources, need to bring more to the other side of Horner Blvd...not just the Steele St area
- Love what has been done to the Depot Park and Steele St areas but...the other side needs some love too. It feels very ignored over here...while the Prince Hotel rots and the old Stanley Lawn and Garden building crumbles down
- Clean up Wicker Street
- Lack of inclusion of city-wide decorations, upkeep, and beautification.

- Better walkable/bike-able connections to the...historic districts
- Increased lighting is needed on North Steele St. The two-way stop on the corner of Gordon and Steele needs to be converted into a four-way stop or traffic light.
- Well lit, safe, and convenient lots for 2+ hours.
- Parking restrictions should be put in place east of the railroad tracks like other sides of downtown.
- Need to stop enforcing parking tickets. The time allowed does not allow for eating and shopping resulting in tickets. Those tickets cause shoppers, especially out of town shoppers, to determine not to return to Downtown so as to avoid future parking tickets. Other than lunchtime there are always parking spaces available, usually an abundance of spaces.
- Even though speed is posted at 25 mph, it feels like we operate on a speedway.
- Need to ensure that the roving officer foot patrols continue...Foot patrol needs to extend to North Steele St.
- Owners of vacant buildings should be given a timeframe to renovate and not be allowed to let them stay empty for years
- A possible ordinance on how long a building can sit with no progress, whether that be remodeling, or actively looking for a renter. We have many large parcels downtown in owners' possession just sitting. Sitting with no movement on progressing them to be a viable space or sitting there not actively looking for renters...There are many entrepreneurs who are looking for rental retail space, but can not find any due to building owners just "sitting".

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- Designation of a management level city staff person as liaison for research/development/recommendation of policy changes
 - We need to invest in upgrading and expanding critical infrastructure such as wastewater, broadband and parking. Robust infrastructure will allow infill development to accommodate office (tech and co-working) and residential development on a much larger scale, which will greatly expand the tax base and lead to more upscale and diverse retail, dining and entertainment options
 - Transportation services, whether publicly or privately implemented, should be a priority
 - While buildings need to be improved there needs to be a way to help existing businesses afford rent increases rather than driving them out of business before the customer traffic increases due to the improvements.

Moving Forward

- Put out RFQ to an outside agencies to contract out operation of the MSD funds.
- Include survey results in RFQ
- Staff reviews RFQ Submittals and makes a Recommendation to City Council
- City Council awards contracts to firm prior to 2023_2024 Fiscal year