REQUEST FOR PROPOSAL

HERITAGE MASTER PLAN

(RFP No. COB-H-01-14)

for the
Town of Cobourg

ISSUE DATE: November 4, 2014

CLOSING: December 2, 2014 at 2:00 p.m. Local Time

At the Town of Cobourg Municipal Offices
Victoria Hall
55 King Street West
Cobourg, Ontario K9A 2M2

Attention: Lorraine Brace
Manager of Legislative Services/Municipal Clerk
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1.00 BACKGROUND

The Town of Cobourg is a community of approximately 19,000 people located on the north shore of Lake Ontario approximately half way between Toronto and Kingston. Cobourg is rich in history and heritage, featuring architectural splendor dating back to the 1800s. The Town has fostered the preservation of its cultural heritage past through the implementation of four (4) Heritage Conservation Districts, plus many individually designated properties. Cobourg also enjoys a bustling, pedestrian-friendly downtown and world-renowned lakefront park, beach and full-service marina.

With our proximity to the Greater Toronto Area (GTA) and attractive small town urban lifestyle, it is expected that the population in Cobourg will continue to grow at a steady rate, with recent projections indicating that the Town's population will increase to between 24,000 and 28,000 people by the year 2031.

Cobourg has a comprehensive Municipal Register of Properties of Cultural Heritage Value and Interest. This Register includes 852 properties in total, 585 of which are located in one of the Town's four Heritage Conservation Districts and 45 of which are designated individually under Part IV of the *Ontario Heritage Act.* Furthermore, there are 222 properties included in the Register that are listed as properties of cultural heritage value or interest but that have not been designated.

The Town of Cobourg's Strategic Plan (2011-2014) includes a vision for our community that honours our past while having confidence in our future. A supporting objective of this vision is a commitment to the preservation and enhancement of the Town's heritage assets. To achieve this, Council identified several strategic actions including the preparation of strategies to support the revitalization of the downtown, and the updating of the municipal Heritage District Guidelines. Furthermore, the Strategic Plan commits to the examination of barriers and opportunities that impact heritage preservation and enhancement.

The Town of Cobourg has undertaken a program of Downtown Vitalization that includes several projects designed to achieve various goals in support of a vibrant, healthy downtown. The Commercial Core Heritage Conservation District has a distinct character that is distinguishable from the predominantly residential neighbourhoods that comprise the other three Heritage Conservation Districts in the Town of Cobourg. As such, the conservation of heritage resources in the downtown requires a unique approach that is integrated with economic development and supports the commercial character of the neighbourhood.

Cobourg has consistently demonstrated a commitment to the conservation of built heritage, cultural heritage, and archaeological resources. The rich history of the Town is valued by residents and visitors alike.

2.00 OBJECTIVE AND SCOPE OF WORK

The Town of Cobourg is seeking proposals from qualified consultants to undertake the development of a Heritage Master Plan for the Town of Cobourg. This process will provide the tools to identify, protect, and celebrate Cobourg's rich and diverse heritage. It will provide comprehensive guidance for the management of heritage resources, including but not limited to Heritage Conservation Districts, individually designated heritage properties, and non-designated properties that are included on the Municipal Register of Properties of Cultural Heritage Value and Interest. The Heritage Master Plan will update and create policies and guidelines that support the conservation of the built heritage of historic residential neighbourhoods, and that leverage the unique and distinct character of Downtown Cobourg to support businesses, economic development, and the goals of the Downtown Vitalization Project.

In particular, the Heritage Master Plan will achieve the following objectives:

- **Articulate the goals of heritage conservation in Cobourg and develop a cohesive vision that reflects the values of the community and proposes a strategic approach to heritage conservation and the management of built heritage, cultural heritage, archaeological resources, and natural/cultural heritage landscapes and streetscapes in the Town of Cobourg**
    - *The Heritage Master Plan shall articulate goals and a vision for the conservation of Cobourg's heritage that is supported by consensus-building and community. The Heritage Master Plan will identify and prioritize Cobourg's diverse heritage resources, suggest strategies for balancing new development with heritage conservation so that they are complementary, and will provide policies that foster decision-making by Council and Staff.*

- **Provide a comprehensive update to the Town of Cobourg's Heritage Conservation District Guidelines**
    - *The existing Guidelines are outdated and are not comprehensive in their guidance for alterations to properties and new development. They provide a foundation from which updated guidelines can be developed.*
    - *The Heritage Master Plan will include updated policies that are consistent with/conform to the goals of heritage conservation in Cobourg, as well as provincial, federal and international legislation, guidelines, and best practices, including Parks Canada's* Standards and Guidelines for the Conservation of Historic Places in Canada (2nd ed.).

- **Consolidate various guidelines related to heritage properties and districts, regulating such things as new development and infill, window restoration, painting and signage, etc.**
    - *There are many policies in place that regulate heritage properties in the Town of Cobourg.*
    - *Draft guidelines have been developed by staff to provide direction for new infill development.*
    - *Similarly, draft guidelines for window restoration have been developed by staff, but require refinement to reflect local context and to be accessible to property owners.*
    - *A heritage colour palette was developed to guide paint colour selection for commercial and residential properties.*
    - *Guidelines for commercial signage require that sign colours shall be based on the heritage colour palette, and pantones have been assigned by staff to some of the paint colours in order to facilitate colour choices in other materials. The guidelines for signage require review and shall be updated to reflect an appropriate balance between heritage conservation and the maintenance of a consistent aesthetic without discouraging new businesses from communicating their goods, services, and corporate logos/branding/identity.*
    - *The many guidelines that pertain to heritage properties shall be reviewed and updated where appropriate, and strategies for improved implementation may be recommended.*
    - *The Heritage Master Plan shall constitute a consolidated, accessible resource for policies that pertain to heritage properties in the Town of Cobourg.*
    - *Guidelines shall be accessible in language and factual in scope, and shall include local examples wherever possible.*

- **Update the District Plans for the Town of Cobourg's four existing Heritage Conservation Districts, including descriptions of the character-defining elements, cultural heritage resources, and heritage values of the specific districts.**
    - *All four of Cobourg's Heritage Conservation Districts were established prior to the* Ontario Heritage Act *amendment in 2005, and prior to* Ontario Regulation 9/06 *which established criteria for determining cultural heritage value or interest. Presently the background reports that were prepared prior to the establishment of the Town's Heritage*

Conservation Districts provide minimal guidance in regards to the specific character-defining elements that the specific district designation seeks to conserve. The Heritage Master Plan shall specifically describe these character-defining elements for the existing Districts, and shall provide direction as to the heritage resources and values that characterize them. The goal is to provide additional guidance to staff and property owners who wish to alter a building or heritage resource. By describing the character-defining elements of these districts, the Heritage Master Plan will assist in the evaluation of proposed alterations and development within a specific Heritage Conservation District.

- *The Heritage Master Plan shall include guidance as to how to approach alterations and the evaluation of properties and buildings that are modern or that, while not specifically contributing to the character/goals of the specific Heritage Conservation District in which they are located, have individual architectural/historical merit of their own.*
- *The Heritage Master Plan shall identify specific natural heritage landscapes, cultural heritage landscapes, and significant streetscapes that contribute to the heritage value of the Town of Cobourg.*

- **Establish policies for the stewardship of the Town's heritage resources, for managing change, and achieving the objectives of the Heritage Conservation Districts**
  - *It is expected that the Heritage Master Plan will provide direction as to how to achieve the objectives of the Heritage Conservation Districts and how the Town may act as a responsible steward of its heritage, including the specific roles municipal staff and Council can play through the heritage permit, development review, and other processes*
  - *The Heritage Master Plan shall include reference to current research and best practices that can be used by Council and municipal staff when making decisions relating to the conservation of heritage in the Town of Cobourg. The information presented in the Heritage Master Plan shall be accessible to the general public, and shall include facts and support for the merits, benefits, and efficiencies of the conservation of heritage resources.*

- **Establish policies for identifying and conserving Cobourg's heritage resources**
  - *The Heritage Master Plan shall include recommendations in regards to new policies that reflect best practices and successful heritage strategies*

in other municipalities. This may include but not be limited to strategies for preventing demolition-by-neglect, encouragement and incentives for property owners to maintain built heritage resources, suggestions for the integration of sustainability and accessibility with the goals of heritage conservation, ideas for consensus-building and community development to support the preservation of Cobourg's unique cultural identity as it relates to the conservation of heritage resources, etc.

- *.*
- *The Heritage Master Plan shall include recommendations in regards to the regular evaluation of heritage resources and the update/review of the municipal Register.*
- *The Heritage Master Plan may benefit by including a description of processes that could be used to identify and overcome barriers to the conservation of Cobourg's heritage resources.*

- **Recognize the unique historic character of Downtown Cobourg, and the opportunities to leverage that heritage for economic development**
  - *It is expected that the Heritage Master Plan will recognize the distinct character of the Commercial Core Heritage Conservation District as it differs from the other three, predominantly residential, Heritage Conservation Districts. The Heritage Master Plan should reflect and support the goals of the Downtown Vitalization Initiative that is ongoing. Heritage conservation policies in the Commercial Core shall support the development of new business, the adaptive reuse of existing buildings, and shall encourage and support the occupancy of presently vacant and/or underused commercial/residential space.*
  - *The Heritage Master Plan will be overlaid with key recommendations from the DBIA, Planning, Public Works, Economic Development and Tourism Departmental staff, denoting an emphasis on heritage buildings as well as harmonious business clusters and potential tourism product nodes.*
  - *The development of a Heritage Master Plan for Cobourg shall be conducted in alignment with the goals and timelines of the Downtown Vitalization Action Plan.*

- **A review of existing heritage incentive programs will inform recommendations and/or other alternative approaches to encouraging the rehabilitation and**

responsible stewardship and ongoing maintenance of Cobourg's heritage resources

- *The Heritage Master Plan shall propose a program of incentives that supports the goals of heritage conservation in Cobourg, as clearly articulated in the Heritage Master Plan, and that recognizes that heritage resources are of value to the community as a whole.*
- *Incentives, financial or otherwise, shall encourage the incremental improvement of properties and the long-term planning of maintenance and improvements.*
- *A review of existing heritage incentives shall include, but not be limited to, tax incentives and opportunities to mitigate against existing financial barriers that impede responsible heritage planning, and the restoration, ongoing repairs and maintenance and conservation of historic buildings and properties.*

- **Development of a recommended strategy for implementation**
  - *Recommendations in regards to the implementation of the Heritage Master Plan shall clearly indicate its role within the planning process. Official Plan policies may be proposed, and other similar governance policies may also be considered.*
  - *The implementation of the Heritage Master Plan may include consultation with other municipal departmental staff, including but not limited to Public Works, Engineering, Building, Planning, Tourism and Economic Development, etc.*
  - *Barriers to the implementation of the Heritage Master Plan may be identified, and a strategy for overcoming barriers and building consensus for implementation may be recommended.*
  - *The implementation of the Heritage Master Plan may include the provision of key sources of local information and positive examples of heritage conservation in the Town.*

Potential Additional Component of the Scope of Work

Presently, the Town of Cobourg's municipal Register of Properties of Cultural Heritage Value and Interest includes 222 properties that are listed on the Register but that have not been designated under Part IV or Part V of the *Ontario Heritage Act*. The municipal heritage permit process does not apply to these "listed" properties, and the only municipal heritage control that applies is in regards to demolition or removal of buildings or structures from the property.

These properties have been flagged as being of interest for possible future designation. It is requested that the Respondent's Proposal include a review of the existing inventory of listed properties and an assessment of these resources. The goal of this review is to recommend listed properties for designation under Part IV of the *Ontario Heritage Act*, removal from the Register if no heritage value is noted, or possibly the creation of a new Heritage Conservation District under Part V of the *Ontario Heritage Act* if it is felt that this would be warranted in a specific area of study.

This component of the Proposal shall be considered separately in terms of cost and may either be integrated or concurrent with the proposed work plan.

Although the above describes the basic scope of work to be undertaken, it is expected that the successful Consultant will take this as a minimum and compile a team and propose a work plan that achieves the purpose and objectives of the project.

3.00 PROPOSED WORK PLAN

The development of a Heritage Master Plan for the Town of Cobourg shall be undertaken in three (3) major stages, although this is simply a guide and the exact work plan may be subject to refinement based on submissions received and further discussions with the successful Consultant. A general overview of the stages is outlined below:

STAGE 1: BACKGROUND RESEARCH AND POLICY REVIEW

Stage 1 will consist of the Consultant collecting and reviewing all relevant background information and undertaking appropriate initial notification and consultations with the public, municipal Departmental staff, municipal advisory committees, agencies, and other stakeholders. This task will enable the Consultant to understand heritage conservation in the context of the Town of Cobourg, and the current issues, trends, facts, assumptions, opportunities and constraints affecting the planning and management of Cobourg's heritage resources.

This stage will include a review of the policies and guidelines that have been developed and implemented by the municipality in order to achieve the goals of heritage conservation. An objective of the Heritage Master Plan process is to update and consolidate the Town of Cobourg's various guidelines related to cultural heritage management and planning. As such, it is expected that the Consultant will develop a thorough understanding of these municipal policies and guidelines and how they relate to best practices. These and other municipal documents are available as a resource for the successful Consultant (refer to Section 12.00).

This stage will include the preparation of a ***Background Report*** that will provide a concise inventory of available data and input received during the community consultation program, and will reflect an analysis of existing municipal policies in

relation to best practices of heritage management and planning. The *Background Report* will also present ***Preferred Directions*** for the preparation of a draft Heritage Master Plan.

It is expected that **at least one (1) stakeholder consultation** session will occur in the early stages of the project. In addition, all of the owners whose property is listed on the Municipal Register of Properties of Cultural Heritage Value and Interest (including designated properties, those in Heritage Conservation Districts, and those non-designated properties that are "listed" on the Register) shall be invited to participate in at least one (1) open house specifically for the purpose of consulting with these stakeholders. One **(1) public open house** will occur at the end of this Stage, in addition to meetings with the project Steering Committee and municipal staff.

STAGE 2: PREPARATION OF DRAFT HERITAGE MASTER PLAN

This stage will involve further analysis of key findings identified during Stage 1, which will form the basis for the preparation of a **draft Heritage Master Plan.**

One (1) public open house will be conducted at the end of this Stage to inform the stakeholders of the information produced to date, and to seek further input on the draft Heritage Master Plan.

STAGE 3: REFINEMENT AND FINAL ADOPTION OF THE HERITAGE MASTER PLAN

Based on the feedback obtained during the prior Stages, the Consultant will refine the draft Heritage Master Plan for **final consideration** by the Steering Committee and Council. A **public meeting** will be convened to review the final Heritage Master Plan prior to **final adoption**.

4.00 PUBLIC PARTICIPATION/COMMUNITY CONSULTATION

Public and other stakeholder involvement is key to the success of this project. The Consultant shall design a formal community consultation process which outlines the method(s) and tools for engaging stakeholders in the community and maximizing input at each stage of the project, including but not limited to community consultation sessions, public open houses, technical working groups, newsletters, surveys, notices, web materials, posters and mail/hand-outs. Written explanatory briefs and other summary documentation shall be encouraged to assist members of the public in its understanding of the project.

Regular meetings are expected with the project Steering Committee throughout the course of this project (which are open to the public), and consultations should be held with key stakeholders, including but not limited to municipal Departmental staff, Cobourg Council, the municipal Downtown Vitalization Action Team, residents and owners of listed/designated heritage properties, the Downtown Business Improvement

Area (DBIA) and the business community, Friends of the Downtown, the Architectural Conservancy of Ontario (ACO), public agencies, municipal advisory committees, past members of the Cobourg Heritage Advisory Committee (CHC), the development community, and community interest groups.

Cobourg Municipal Council shall be involved at every stage of the project, and shall be kept informed as the Heritage Master Plan process progresses. It is expected that Council will be consulted along with other stakeholders, and as milestones in the project are achieved, it is expected that Council will be informed in a timely manner.

In advance of public meetings and open houses, the public and other stakeholders shall have timely access to draft documents and other relevant documents for consideration.

Specifically, in Stage 1, the Consultant will be required to organize and convene at minimum **one (1) stakeholder consultation session** near the beginning of the project to gather community feedback and enhance the Consultant's understanding of the community's interests, and hold **one (1) public open house** to present background findings and preferred directions. In Stage 2, **one (1) public open house** will be required to present the draft Heritage Master Plan. Finally, a **public meeting** will be held in Stage 3 of the project once the draft Heritage Master Plan has been refined by the Consultant based on earlier community consultation and input.

Additional meetings may be required depending on the outcome of the public consultation sessions and direction given by Council. Accordingly, the Consultant shall include a flat rate fee (as an additional cost item) for any additional meetings as may be directed by the Town. The Consultant shall be responsible for scheduling of meetings, preparation of notices and agendas, presentation materials and meeting minutes. The Town of Cobourg will provide assistance with organizing meeting room/hall bookings and set-up.

The Consultant is welcome to propose innovative and alternative methods of public participation and consultation that engage stakeholders with the Heritage Master Plan process and that will ensure that the goals of public involvement in the project are met.

5.00 SCHEDULE

It is expected that the Heritage Master Plan will be completed no later than **Spring 2016**. It is anticipated that the Heritage Master Plan process will generally adhere to the three stages of the work plan outlined in Section 3.00 of this Request for Proposals. The Consultant shall propose a schedule/timeline for the completion of the various stages of the work plan. The schedule shall include the following key milestones of the various stages of the work plan, and shall allow for the completion of the project no later than the Spring of 2016. In addition to the milestones outlined in the chart below, regular meetings with the Steering Committee and regular updates to Council are expected. A Gantt chart shall be included with the Proposal to illustrate the proposed schedule.

STAGE 1
Policy Review and Background Research
Stakeholder Consultation
Open House for Owners of Heritage Properties
Background Report and Preferred Directions
1st Public Open House
STAGE 2
Further Analysis
Draft Heritage Master Plan
2nd Public Open House
STAGE 3
Refine Draft
Final Consideration by Steering Committee
Public Meeting/Presentation to Council
Final Adoption of Heritage Master Plan

6.00 BUDGET

The upset limit of the budget for this project is $90,000.00, subject to the finalization of the Budget in 2015. The Consultant shall supply a detailed task list, itemized cost estimate, work plan, and total proposed cost (ie. maximum upset limit) of the project, including all consulting fees, disbursements, contingencies and all other costs associated with implementing the scope of work, but excluding HST. It is the responsibility of the respondent to anticipate and clearly identify all tasks required to satisfy the requirements of the RFP.

The successful Consultant Team Project Leader will be responsible for submitting detailed invoices which describe the work undertaken within each invoice time period, the personnel employed and hours expended by the hourly rate, disbursements, total fee for each invoice, and total budget expended/remaining on the project. If the Consultant determines that this target cannot be met at any time prior to or during the project work, the Consultant shall advise the Town within 48 hours of such determination and shall not undertake any work that would cause the budget to be exceeded without written permission from the Town of Cobourg.

The proposed budget shall include the organization and attendance at all required stakeholder and public consultations, public meetings and open houses, technical and steering committee meetings, and presentations to Council.

7.00 DELIVERABLES

All reports will be delivered in the following format:

- 15 bound colour copies, including any maps or other illustrations
- 1 unbound 'original' print-ready colour copy;

- 1 CD (pdf) and any related colour photos, graphics and maps in Town-compatible software (AutoCad, ArcGIS, Excel, Word, Powerpoint, jpg, etc.) All documents must be editable, modifiable, and may be duplicated by the Town.
- Any mapping must be either "Shapefiles" or "Personal or File Geodatabase", which are files that are native to ArcGIS. To maintain any symbology used, a map document in ".mxd" format may also be required. The Consultant is required to consult with the Town of Cobourg's GIS Coordinator in order to ensure that all mapping is compatible for use with municipal GIS.
- 1 hard copy print and CD of presentation boards and materials.

All of the documents shall be prepared in a format which will enable them to be placed on the municipal website. It is expected that newsletters, notices, brochures, and other forms of communication will also be required to inform the public, which shall be prepared in full colour. Presentations shall be provided in PowerPoint format wherever possible.

8.00 PROJECT ADMINISTRATION

The Heritage Advisory Committee (CHC) will act as the Steering Committee for the project and shall coordinate and integrate with the Downtown Vitalization Action Team. The Consultant may wish to establish one or more Technical Working/Advisory Groups to accommodate a wider cross-section of the community (ie. municipal advisory committees, municipal Departmental staff, public agencies, community organizations). Alternative or innovative approaches to the administration of the project will be entertained.

The Heritage Planner shall act as Project Coordinator, and shall be the day-to-day contact for the Consultant. The Project Coordinator will provide the Consultant with relevant resource materials, including related studies, policies and reports, and key stakeholder/interest group contact lists. Other municipal Departmental staff are available to assist and provide input where required.

The Project Coordinator and the Steering Committee will meet with the Consultant at the outset to define and approve the work plan, and regularly thereafter to monitor and review progress and to provide direction and input as required. The Steering Committee shall review all draft Reports and associated documentation to ensure compliance with the RFP prior to a recommendation and final deliverables being brought forward to Cobourg Municipal Council.

9.00 PROPOSAL REQUIREMENTS

Written proposal documents shall contain the following information:

- The Consultant's understanding of the assignment, including an explanation of the approach and methodology to be used to achieve the objectives of the RFP,

and an assessment of any anticipated difficulties in performing tasks and the proposed approach for overcoming these;

- A work plan/project schedule and Gantt chart, including a detailed description and costing of all tasks and sub-tasks, timelines, milestones, deliverables, meetings and key dates proposed to meet the requirements of the RFP. If the Consultant feels it is advisable to perform additional work at the proposal stage, the nature, extent and estimated cost of such work shall be identified separately;
- A listing of all consulting team members, complete with their qualifications, experience and applicable skills;
- An upset cost for the project ***(submitted in a separate envelope)***, including a breakdown of all hourly rates and predicted person hours attributed to each team member by task, and all other costs and related disbursements;
- A list of three (3) client references in respect of similar municipal projects undertaken by the consulting team;

The respondent shall submit four (4) bound copies (one of which shall be signed and marked as an original) and one (1) unbound print-ready copy in 8 ½" x 11" format. The maximum proposal length shall be twenty-five (25) pages, exclusive of CVs, references, and project experience materials. Proposals are to be clearly marked with the RFP title and number (see RFP cover).

10.00 CONSULTANT EXPECTATIONS

While the Consultant will work with the Steering Committee and stakeholders in compiling and reviewing information throughout the process, it is expected that the Consultant will provide sound, objective and defensible analysis and reports based on technical and professional judgment, which may or may not necessarily be consistent with the opinions and conclusions of the Steering Committee, municipal Departmental staff or other community stakeholder inputs. The documentation arising out of the Heritage Master Plan process shall be consistent with best practices in cultural heritage management and planning and shall be consistent with/conform to all applicable Provincial and municipal legislation and policies, such as the Ontario Heritage Act, Planning Act, Provincial Policy Statement (PPS), and Cobourg Official Plan.

At an additional cost, the Consultant shall be expected to attend hearings of the Conservation Review Board (CRB) and the Ontario Municipal Board (OMB), Courts and/or tribunals to present evidence and provide opinions in defense of the documentation supplied as part of the Heritage Master Plan process.

The lead Consultant and all applicable representatives shall attend all meetings required during the project, and present the project recommendations and amendments to Council prior to adoption. The Consultant Team's representatives attending meetings shall be thoroughly versed and knowledgeable with respect to the proposed topics of

discussion and shall have the authority to make the necessary decisions and commitments with respect to matters agreed upon at the meetings. The Consultant will also be required to provide all documentation, including reports, maps, drawings, and other amendments, in electronic form, and the Town shall have the right to reproduce further copies.

11.00 CONSULTANT EVALUATION AND SELECTION

The Town of Cobourg uses a value-based approach to selecting consultants and will evaluate each proposal based on its own merit, giving specific attention to completeness of detail, experience of the project team and other factors as set out in the criteria listed in *Appendix A* attached which states the weight or value assigned to each category.

The assigned weight of each criterion is multiplied by the appropriate degree of satisfaction to yield the total points. Summation of the total points for each criterion yields a total score, which represents the overall degree of satisfaction with each proposal.

The review and selection of a proposal(s) will be conducted by the Coordinator of Planning and Heritage on Council, the Chair of the Cobourg Heritage Advisory Committee (Steering Committee), the Director of Planning and Development and the Heritage Planner, or an appointed designate(s). The evaluation will be based on the prescribed criteria, but not solely limited thereto, and any other relevant information provided by the Consultant(s). The Town reserves the right to prioritize and weight the importance of each criterion confidentially. Selected proponents may be short listed for interviews at the discretion of the Town.

12.00 SUMMARY OF AVAILABLE MUNICIPAL RESOURCES

The following municipal background information resources are available in the municipal offices of the Town of Cobourg:

- Heritage Conservation District Guidelines
- Draft Guidelines for Infill Development in Heritage Districts
- Draft Heritage Windows Policies and Guidelines for Properties in Cobourg's Heritage Districts
- Comprehensive Zoning By-law #85-2003 (presently undergoing a comprehensive review)
- Urban and Landscape Design Guidelines (Sept. 2010)
- Town of Cobourg Official Plan (2001) as well as the new Official Plan adopted in 2010 (though not yet approved, pending appeal to OMB)
- Northumberland County Official Plan (in development 2014)
- Downtown Vitalization Action Plan

- Documentation specific to Victoria Hall/Cobourg Town Hall National Historic Site of Canada, including the Market Building and Firehall Theatre on the same property**:**
    - Commemorative Integrity Statement for Victoria Hall
    - Building Condition Audit for Victoria Hall (March 2014)
    - Easement Agreement with Ontario Heritage Trust
    - Provincial Statement of Significance and Parks Canada's Statement of Significance
    - Victoria Square Design Report (1999)
- Heritage Conservation District Study for the Town of Cobourg (Robert Mikel, February-March 1991)
- Examination of George Street and Area as a Heritage Conservation District (Paul Dilse, September 2002)
- Corktown Preliminary Report (Cobourg Planning Services, November 2010)
- By-law 27-90, amended by By-law 118-91 to establish the Commercial Core Heritage Conservation District, the East Heritage Conservation District, and the West Heritage Conservation District
- By-law 7-2003 to establish the George Street Heritage Conservation District
- By-law 97-2009 to regulate alterations to heritage properties in the Town of Cobourg
- Municipal Register of Properties of Cultural Heritage Value and Interest
- GIS mapping of heritage properties in the Town of Cobourg, including four Heritage Conservation Districts, individually designated heritage properties, and listed non-designated properties of cultural heritage value and interest
- Town of Cobourg's Heritage Colour Palette (paint colours)
- Sign By-law 8-2009 and Guidelines for Signage on Commercial Heritage Properties
- Property Standards By-law 18-99, amended by By-law 78-2006
- Town of Cobourg Strategic Plan 2011-2014
- Tourism Asset Feasibility Study (in development)
- Marina Master Plan (in development)
- Parks Master Plan (2013)
- Town of Cobourg's Transit Study; Transportation Study; and Parking Study
- Harbour Lands Design Concept (1997)

13.00 CONTRACT DOCUMENTS AND ORDER OF PRECEDENCE

The Contract document shall consist of:

- the agreement (if any);

- the purchase order, or acceptance letter;
- the Request for Proposal document; and
- the Respondent's Proposal and any subsequent amendments.

These documents and portions thereof, take precedence in the order in which they are named above, notwithstanding the chronological order in which they are issued or executed.

Change notices, appendices and addenda to any contract document shall be considered part of such documents.

If a written Contract cannot be negotiated within thirty (30) days of notification of the successful Consultant, the Town may, at its sole discretion at any time thereafter, terminate negotiations with that Consultant and either negotiate a Contract with the next qualified Consultant or choose to terminate the Request for Proposal process and not enter into a Contract with any of the Consultants.

14.00 TERMS AND CONDITIONS

Acceptance of Proposals

a. The Town of Cobourg reserves the right to accept or reject any or all of the proposals submitted in response to this Request for Proposal and may award the work to other than the lowest cost proposal. Proposals will be assessed in light of the evaluation criteria. The Town of Cobourg reserves the right to interview any number of respondents regardless of their score. This Request for Proposal should not be construed as an agreement to purchase services. The Town will be under no obligation to receive further information, whether written or oral, from any Proponent.

b. Proposals must be completed with due care. All Proposals must conform to the instructions in this Document. If a Proposal does not conform in every way, even in ways which may seem to Proponents to be innocuous, that Proposal may be rejected by the Town as improper, and may not be considered at all.

c. Neither acceptance of a Proposal nor execution of a Contract will constitute approval of any activity or development contemplated in any proposal that requires any approval, permit or license pursuant to any federal, provincial, regional district or municipal statute, regulation or by-law.

Definition of Contract

Notice in writing to a Proponent of the acceptance of its proposal by the Town and the subsequent full execution of a written Contract will constitute a Contract for the goods or services, and no Proponent will acquire any legal or equitable rights or privileges relative to the goods or services until the occurrence of both such events.

Liability for Errors

While the Town has used considerable efforts to ensure an accurate representation of information in this Request for Proposal, the information contained in this Request for Proposal is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted to be accurate by the Town, nor is it necessarily comprehensive or exhaustive. Nothing in this Request for Proposal is intended to relieve Proponents from forming their own opinions and conclusions with respect to the matters addressed in this Request for Proposal.

Agreement with Terms

By submitting a Proposal, the Proponent agrees to all the terms and conditions of this Request for Proposal. Proponents who have obtained the Request for Proposal electronically must not alter any portion of the document, with the exception of adding the information requested. To do so will invalidate the proposal.

Modification of Terms

The Town reserves the right to modify the terms of the Request for Proposal at any time at its sole discretion.

Ownership of Proposals and Freedom of Information

All documents, including proposals, submitted to the Town become the property of the Town. They will be received and held in confidence by the Town, subject to the provisions of the Freedom of Information and Protection of Privacy Act. The final Heritage Master Plan produced will become the property of the Town and may be modified or copied by the Town.

Use of Request for Proposal

This document, or any portion thereof, may not be used for any purpose other than the submission of proposals.

Confidentiality of Information

Information pertaining to the Town obtained by the Proponent as a result of participation in this project is confidential and must not be disclosed without written authorization from the Town.

Registration with Workers' Safety Insurance Board

The Contract shall contain a provision that the Consultant and any approved sub-Consultants must be registered with the Workers' Safety Insurance Board (WSIB), in which case WSIB coverage must be maintained for the duration of the Contract. Prior to receiving any payment, the Consultant may be required to submit a WSIB Clearance Letter indicating that all WSIB assessments have been paid.

Employer/Employee Relation

If applicable the employees of the Consultant shall be and remain the employees of the Consultant which will be solely responsible for the arrangement of relief, substitutions, pay, supervision, discipline, Employment Insurance, Canada Pension, Worker's Safety Insurance, leave, uniform, and all other matters arising out of the relationship between employer and employee.

The employees of the Consultant are to be properly dressed and of clean appearance, of good official deportment and of satisfactory physical capacity to perform their duties under any emergency, able to understand, speak and write fluently in the English language and have the ability to perform basic mathematical functions. Employees of the Consultant shall be courteous in their relationship with the general public.

The Proponent shall not utilize the services of any employee found not to be suitable by the Town for any reason, in the opinion and sole discretion of the Director of Planning and Development and/or his designate.

The Town will be responsible for giving instruction with respect to the routine, type, extent and method of execution of duties to be performed.

Business Registration

The successful Proponent shall be required to register to conduct business in Ontario.

Purchasing By-law #016-2012

Proposals will be called, received, evaluated, accepted and processed in accordance with the Town's Purchasing Policy. By submitting a proposal for this contract, the Proponent agrees to be bound by the terms and conditions of such Policy and any amendments thereto, as fully as if it were incorporated herein.

Laws of Ontario

Any Contract resulting from this Request for Proposal will be governed by and will be construed and interpreted in accordance with the laws of the Province of Ontario. The Respondent shall comply with the relevant federal, provincial and municipal statutes, regulations and by-laws pertaining to the works and its performance.

Arbitration

All disputes arising out of or in connection with the Contract must, unless the parties otherwise agree, be referred to and finally resolved by arbitration pursuant to the Commercial Arbitration Act.

Indemnity

The Consultant will indemnify and save harmless the Town, its employees and agents from and against all claims, demands, losses, damages, costs and expenses made against or incurred, suffered or sustained by the Town at any time or times (either before or after the expiration or sooner termination of this Contract) where the same or any of

them are based upon or arise out of or from anything done or omitted to be done by the Consultant or by any servant, employee, officer, director or sub-Consultant of the Consultant pursuant to the Contract excepting always liability arising out of the independent acts of the Town.

Insurance

While the Proponent will be responsible for maintaining adequate insurance to cover all claims, such policy shall name the Town thereunder and shall save the Town from all litigation arising from such claims, the Proponent shall, at his own expense, maintain the following minimum insurance. Such insurance shall be entirely comprehensive to all phases of the work pertaining to this Request for Proposal.

The Comprehensive Liability Insurance shall not be less than the following:
- Public Liability: $2,000,000.00 for death or injury to one person and property damage arising from any one accident,
- Professional Liability: $1,000,000.00, and
- Contingent Liability: To same limits as established to cover the Proponent's direct liability.

The successful proponent shall file with the Clerk's Office a letter from an insurance company(ies) informing the Town that the coverage required by the Contract is in effect before the commencement of services and that the policy(ies) of insurance shall not be altered, cancelled or allowed to lapse without 30 days written notice to the Town.

Contract Award

Provided that at least one of the Proposals received meets the approval of the evaluation committee, a recommendation for award will be made on the basis of the evaluation. The award of the contract is subject to the best value for the Town.

a) On approval of the evaluation of the committee's recommendation by Council, the Successful Respondent will be required to enter into a formal contract agreement.

b) Written notification to the Successful Respondent and the issue of a Purchase Order shall result in a binding contract between the Town and the Successful Respondent unless otherwise stated and will result in the execution of a formal contract agreement.

Contract Administrator

A Contract administrator will be assigned by the Town to oversee the Contract awarded to the successful Proponent. In addition, the Consultant will be expected to name a counterpart project manager. The Consultant's project manager will be responsible for providing scheduled status reports to the Contract administrator or designate.

Compliance with Laws

The Consultant will give all the notices and obtain all the licenses and permits required to perform the work. The Consultant will comply with all laws applicable for performance of the Contract.

15.00 GENERAL

1) Any potential conflict of interest shall be identified and described in detail. If a conflict of interest does exist, the Town may, at its discretion, withhold the assignment from the Consultant until the matter is resolved to the satisfaction of the Town.

If, during the conduct of the assignment, the Consultant is retained by another client giving rise to a potential conflict of interest, then the Consultant shall so inform the Town and if a significant conflict of interest is deemed to exist by the Town, then the Consultant shall:

i) refuse the new assignment; OR
ii) take such steps as are necessary to remove the conflict of interest.

2) The Consultant shall be expected to enter into an agreement with the Town of Cobourg pertaining to the products expected and the total upset cost of the work.

3) The Town of Cobourg will not bear any cost involved in the preparation or submission of proposals received as a result of this Request for Proposal, site inspections, interviews, or any other services that may be requested as part of the evaluation process.

4) All information collected and all sketches, drawings, digital files and documents generated by the study shall become the property of the Town of Cobourg.

5) Revised proposals will not be called if only minor changes are contemplated.

6) The Consultant shall be required to assume responsibility for all services offered in their proposal regardless of whether or not the Consultant performs them in-house. The Consultant shall be totally responsible for the adherence by sub-Consultants to all provisions of the contract. The Consultant shall be the sole point of contact for contractual matters, including payment of any or all charges resulting from the contract.

7) All Consultants will be informed in writing of the results of this Request for Proposals.

8) All proposals submitted in response to this Request for Proposals shall become the property of the Town of Cobourg.

9) The proposal must be signed by the person(s) authorized to sign on behalf of the Consultant and to bind the Consultant to statements made in response to this Request for Proposal.

10) By submission of a clear and detailed written notice, the Consultant may amend or withdraw its proposal prior to the closing date and time. Upon closing time, all proposals become irrevocable. By submission of a proposal, the Consultant agrees that should its proposal be deemed successful the Consultant would enter into a Contract with the Town.

11) The Consultant will not change the wording of its proposal after closing and no words or comments will be added to the proposal unless requested by the Town for purposes of clarification.

12) In the event the Consultant desires to take exception to any of the terms or conditions or items set forth in this Request for Proposals, said exceptions must be clearly identified in the response to the Request for Proposals. Exceptions or deviations must not be added to the Proposal pages, but must be a separate document accompanying the Consultant's Proposal.

13) While the Town has used considerable efforts to ensure an accurate representation of information in this Request for Proposal, the information contained in this Request for Proposal is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted to be accurate by the Town, nor is it necessarily comprehensive or exhaustive. Nothing in this Request for Proposal is intended to relieve Proponents from forming their own opinions and conclusions with respect to the matters addressed in this Request for Proposal.

14) The Consultant shall be expected to commence work on this project immediately following receipt of formal notification of award of the project.

16.00 CLARIFICATION OF THIS REQUEST FOR PROPOSAL/CONTACT PERSON

Questions related to this Request for Proposals and/or any matters relating to it shall be directed **in writing via e-mail only no later than 2:00pm on November 25, 2014** to:

Alison Torrie Lapaire
Planner I - Heritage
The Corporation of the Town of Cobourg
55 King Street West
Cobourg, Ontario
K9A 2M2

Phone: 905-372-1005
Fax: 905-372-1533
E-mail: atorrie@cobourg.ca

All enquiries and responses will be recorded and shall be distributed as an Addendum by the Planner I - Heritage to all proponents who have completed and filed with the

Municipality the "*RFP Sign-Out Form*" (attached to this RFP as Appendix "B") on the Friday of each week leading up to the proposal deadline. Respondents who do not file the *RFP Sign-Out Form* shall not receive any Addenda and are not entitled to receive any further notifications regarding this Request for Proposal. The submission of an *RFP Sign-Out Form* is for Addenda notification purposes only and in no way obligates the proponent to submit a proposal in response to this Request for Proposal.

Any information obtained from any source other than the Planner I - Heritage in written format is not official and should not be relied upon. Neither the Town of Cobourg, nor its employees or agents, shall be responsible for any information or instructions provided to the respondent, with the exception of information provided by the Planner I - Heritage. The release of general information currently available to the public (on-line or otherwise), such as reports/studies outlined in Section 12.00 and other similar documentation, shall be provided where requested by the respondent and shall not form part of the record, unless there are specific questions relating to the documentation provided, in which case the above procedure shall be followed.

Respondents are encouraged to report all discrepancies, errors, departures from good practice, and points considered to be ambiguous or conflicting in writing to the Planner I - Heritage by 2:00pm on November 25, 2014 so that the Town may issue instructions, clarifications or amendments by Addendum to all respondents who have submitted an *RFP Sign-Out Form* prior to the closing date.

The Town of Cobourg, without liability, cost or penalty, reserves the right to alter any details in this RFP at any time prior to the closing date. In the event that this RFP is amended via Addendum, the remainder of the RFP that has not been modified shall remain intact and unchanged. Addenda may be required for:

- Corrections to the RFP and related forms;
- Clarification of all or part of the RFP;
- Extension of the submission deadline;
- Retraction or cancellation of the RFP;
- Responses to bidder's questions;
- Other additions to, deletions from or alterations to the requirements contained within the RFP.

Addenda will be made available or sent by the following:

- Electronic mail (e-mail); or
- Facsimile.

Respondents shall acknowledge receipt of each and every Addendum (if applicable) to this RFP solicitation by a written acknowledgement within their proposal submission.

17.00 PROPOSAL DEADLINE

Written proposals will be accepted at the following address until **2:00pm, December 2, 2014:**

The Corporation of the Town of Cobourg
c/o Lorraine Brace
Manager of Legislative Services/Municipal Clerk
55 King Street West
Cobourg, Ontario
K9A 2M2

Phone: 905-372-4301
Fax: 905-372-1533
E-mail: lbrace@cobourg.ca

Note: Only hard copies will be accepted. Late proposals will not be accepted and will be returned unopened to the Consultant.

APPENDIX "A"
PROPOSAL EVALUATION MATRIX

Unit Points (B)

Unsatisfactory	1-4
Satisfactory	5-6
Good	7-8
Excellent	9-10

No partial points shall be awarded.

ITEM	CRITERIA	ASSIGNED WEIGHT (A)	UNIT POINTS AWARDED (B)	TOTAL POINTS (A X B)	REMARKS
1	**Quality of the Proposal** • Compliance with RFP terms of reference • Understanding of assignment and tasks required • Suitability of proposed work plan to meet RFP • Proposal format, organization and quality	**30**			
2	**Project Team Experience and Qualifications** • Personnel to be assigned to the project (senior staff participation) • Proponent's knowledge, skills and expertise • Relevant past municipal Heritage Master Plan experience • Demonstrated communication and presentation skills • Satisfactory referrals	**20**			
3	**Financial** • Appropriate allocation of resources to various tasks and phases to meet RFP requirements	**20**			
4	**Project Management** • Capacity of the proponent to undertake this assignment effectively and work within the RFP guidelines • Proposed timelines and schedule	**15**			
5	**Public Participation / Consultation Component** • Proposed methods for engaging public • Demonstrated strong facilitation skills in leading successful public consultation programs	**15**			
	TOTAL	**100**			

APPENDIX "B"
RFP SIGN-OUT FORM

Consultant/Company Name	Primary Contact Name	Email Address	Phone Number

All enquiries and responses to questions and matters relating to this RFP will be recorded and shall be distributed as an Addendum by the Planner I - Heritage to all proponents who have completed and filed with the Municipality this "*RFP Sign-Out Form*" on the Friday of each week leading up to the proposal deadline.

Respondents who do not file the *RFP Sign-Out Form* shall not receive any Addenda and are not entitled to receive any further notifications regarding this Request for Proposal. The submission of an *RFP Sign-Out Form* is for Addenda notification purposes only and in no way obligates the proponent to submit a proposal in response to this Request for Proposal.