

**REQUEST FOR STATEMENT OF QUALIFICATIONS – PROFESSIONAL SERVICES**

**PROJECT: Business License Fee Study**

**CLIENT: Town of Alta, Utah**

**RFSQ RELEASE DATE: April 1, 2021**

**RFSQ DUE DATE: April 29, 2021**

1. Introduction.

The Town of Alta, Utah (the “*Town*”) is issuing this Request for Statement of Qualifications for Professional Services (RFSQ) from qualified consultants to (a) study the Town’s business license ordinance codified as Title 3 of the Town Code, Alta, Utah; (b) assess the propriety of the Town’s business license fee schedule under UTAH CODE ANN § 10-1-203 and any other applicable statutory requirements; (c) present a comparison of business license fees charged by the other comparable municipalities in Utah (d) develop a revised business license fee schedule, if necessary, to assure compliance with all applicable legal requirements while assuring recovery of the Town’s costs in administering business licenses generally; and (e) suggest any other modifications to Alta Town Code, Title 3 dictated by such study of the Town’s business license ordinances. The foregoing work, together with ancillary and additional services as may be reasonably required to accomplish the desired project is referred to herein as the “*Project*”.

The Town desires to enter into a contract with a qualified consultant (“*Consultant*”) for provision of all labor, supplies and materials necessary to successfully accomplish this Project. As more fully explained below, the selection of a Consultant will be based on the qualification response (“*Qualification Response*”) received as well as on the Town’s determination of the Consultant’s respective qualifications, expertise, experience, and resources that can complement the limited resources of the Town in successfully completing the Project.

2. Intent.

Although it is the intent of this RFSQ to set forth the minimum acceptable requirements for a Qualification Response, the scope of work in this RFSQ is not all-inclusive, but rather is an attempt to generally describe the necessary characteristics. A mutually acceptable agreement will be signed by the Town and the selected Consultant detailing the final scope and parameters of the Project, completion timetable, interim reports deliverables, etc.

3. Detailed Description of Project.

The Project consists of reviewing and revising (if needed) the Town’s business license fee schedule and underlying ordinances. The Project will include, without limitation, the following for which we request a point by point response:

- (a) General Businesses: analyze and assess the Town’s cost of regulating general businesses.

- (b) Regulatory Efforts: analyze and assess the Town’s cost of any special regulatory efforts.
- (c) Disproportionate Fees: analyze and asses the excess rates of usage of Town services by selected classes of businesses (disproportionate fees).
- (d) Enhanced Services: analyze and assess the cost of Town services provided to specific geographic areas and the benefitted businesses in those areas (enhanced services).
- (e) Current Fee Schedule: analyze, against applicable legal requirements, all aspects of the Town’s current business license fee structure.
- (f) Provide Comparable Fee Schedules: use existing data and/or perform a survey of the current business license fees charged by other comparable municipalities in Utah (minimum of 10 comparable municipalities), tabulate such results and provide such information to the Town for comparison purposes.
- (g) Revised Fee Schedule: if necessary, propose a revised business license fee schedule, in the same or similar format as the current business license fee schedule contained in the Town’s consolidated fee schedule, bearing in mind the Town’s intent to comply with all statutory requirements; it’s desire to recover its administrative costs (including appropriate enhanced fees for enhanced services, disproportionate service costs, and the cost of special regulatory efforts); and the Town’s desire for its business license fees to be substantially equivalent (to the extent possible in view of the foregoing considerations) with the business license fees of surrounding and comparable cities in Utah.
- (h) Ordinances: review all Town business license ordinances and make recommendations (including draft language for amendments) for improvements.
- (i) Administration: review Town business license administration practices and procedures and make recommendations for improvements.

4. Schedule.

At a minimum, the Town anticipates the following schedule for the Project:

<u>Event</u>	<u>Date</u>
Request for Statement of Qualifications Issued	April 1, 2021

Questions regarding this RFSQ	April 1 – April 16, 2021 (3:00 pm)
Qualification Response Due Date	April 29, 2021 (3:00 pm)
Response Evaluation & Consultant Selection	April 30 – May 7, 2021
Fee Negotiations with Most Qualified	May 7 – May 14, 2021
Signed Agreement	May 19, 2021
Completed Study	July 7, 2021
Present findings to Town Council	July 14, 2021
Town Considers Modifications	August 11, 2021
Title 3 Text and/or Fee Schedule	September 1, 2021

5. Statement of Qualifications / Requirements.

All Qualification Responses shall become the property of the Town. Any proprietary information contained in the Qualification Response must be clearly marked and delineated. The Town may release any information contained in the Qualification Response that is not marked and delineated as proprietary following execution of a contract for services.

Each Qualification Response must include a point by point response to the following:

- (a) Consultant Qualification and Relevant Experience: describe, in sufficient detail, the Consultant’s qualifications and experience with similar projects. Provide references and contact information for at least three similar projects.
- (b) Project Team: identify, in an organizational chart format, the personnel to be assigned to the Project. Submit resumes for key personnel. Include a statement of commitment for non-substitution of key personnel without the Town’s prior written consent. Describe in sufficient detail, local and home office support facilities, and resources the Consultant will provide to complete the Project. Response to this paragraph should emphasize personnel resources, in-house expertise, facilities, and services.
- (c) Proposed Approach: describe, in sufficient detail, how the Consultant plans to satisfy the requirements of this Project.
- (d) Project Schedule: outline the Consultant’s schedule to complete the Project.
- (e) Actions: summarize all disciplinary actions and all legal actions and arbitration proceedings by or against the Consultant or related entities during the past three years.

- (f) Insurance Coverage: Insurance coverage will be required; the Consultant shall procure and maintain insurance for the duration of the contract against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, their agents, representative, employees, or subcontractors. Each Consultant shall include appropriate proof of insurance certificates with its response. Failure to meet the insurance requirements may result in cancellation of the Project acceptance.
- (g) Length: the proposal shall not exceed 10 pages.

6. Identification of Anticipated Potential Problems.

The Qualification Response should also identify and describe any potential problems or recommendations with respect to the Project.

7. Evaluation Criteria and Selection Process.

Qualification Responses submitted for this Project will be reviewed by an evaluation committee consisting of the Mayor, Town Clerk, Deputy Town Clerk, Town Administrator, and Assistant Town Administrator. The Responses will be evaluated on the basis of several factors, including but not limited to, responses to the Qualifications and Requirements set forth in this RFSQ, and Detailed Description of Project response.

Each Qualification Response received shall be evaluated for responsiveness in as outlined in the Utah Procurement Code. Pursuant to Administrative Rule R33-5-108, the Conducting Procurement Unit will evaluate the qualifications of all submitted responses and will select the vendor who is **most qualified for direct negotiations**.

Professional service providers and consultants may be procured, according to the Utah Procurement Code, up to a maximum of \$100,000, by direct negotiation after reviewing the qualifications of a minimum of three firms or individuals. **Do not send cost/pricing information with your qualification response at this time.** The most qualified firm will be contacted to negotiate cost after the evaluation process and most qualified is determined for the Town of Alta. All firms will be notified of awardee after successful negotiations.

Any exceptions to the content of this RFSQ must be protested in writing, during the question and answer period, prior to the closing date.

8. Terms of Contract.

The successful Consultant will be required to enter into a written agreement with the Town to provide the services contemplated herein. The Town staff, working with the selected Consultant, will negotiate the agreement as long as it meets the budgetary requirements of the

Town (if not, the Town will negotiate with the next best applicant). All provisions of the agreement will be in compliance with applicable laws, rules, and regulations.

9. Suspension of Process, etc.

The Town reserves the right to reject any and all Qualification Responses to the RFSQ, to waive the requirement set forth in this request, and to accept any response deemed to be in the best interest of the Town, subject to legal requirements. Qualification Response to the RFSQ is at the Consultant's sole risk and expense, and the Town shall not be liable for any cost associated with preparation by any party of any Response submitted for this RFSQ. Although the Town anticipates selecting one of the responding Consultants, there is no guarantee that any responding Consultant will be selected or that the Project will be commenced or completed. The Town also reserves the right to cancel award of this contract at any time before execution of the contract by both parties if cancellation is deemed to be in the Town's best interest by convenience or cause. In no event shall the Town have any liability for the cancellation of the award.

10. Important Information.

The following information is provided:

- (a) Business License Ordinances. An electronic copy of the Town's current business license ordinance is available on the Town's website or by visiting this link: [https://codelibrary.amlegal.com/codes/altaut/latest/alta\\_ut/0-0-0-587](https://codelibrary.amlegal.com/codes/altaut/latest/alta_ut/0-0-0-587).

11. Response Instructions.

- (a) Clearly Marked: Qualification Responses must be clearly identified as "Statement of Qualifications – Business License Study for the Town of Alta."
- (b) Qualification Responses must be submitted electronically, through the [Utah Public Procurement Place portal](#) (U3P, formally known as SciQuest) by the "deadline". When submitting a response electronically through U3P, please allow sufficient time to upload qualification response documents.
  - i. Consultant acknowledges that after completing their statement of qualification they must click on the link in the left-hand menu bar labeled "Review & Submit", then check the box under the "Certification" heading to certify their bid. Then click the blue box labeled "Submit Response" in order to submit their qualifications.
  - ii. Once the response has been submitted, Consultant will receive a confirmation that the response was successfully submitted. Consultants

who fail to submit their response will not have their response reviewed and will be ineligible for further consideration under this solicitation.

- (c) The deadline for responses is 3:00pm (MST) on April 29, 2021.
  - i. No late responses will be accepted.
- (d) Question and Answer Period: all questions must be submitted through the U3P portal during the question and answer period (April 1 to April 16, 2021 until 3:00 pm). Questions will be answered in real time in U3P. A question and answer document will be posted on the Town's website by April 22, 2021.
- (e) Restrictions on Communications: From the issue date of this RFSQ until a Consultant is selected, Consultants are prohibited from communications regarding this RFSQ with the evaluation committee members or other associated individuals EXCEPT the State of Utah Division of Purchasing procurement officer overseeing this RFSQ. Failure to comply with this requirement may result in disqualification.