



**City of Salisbury Municipal Service District  
Private Agency Solicitation  
Request for Proposals**

**DATE OF ISSUE: Wednesday, May 11, 2016**

**Introduction**

The City of Salisbury is accepting proposals to administer the downtown Municipal Service District (MSD). The purpose of this Request for Proposals (RFP) is to provide a fair evaluation for all candidates and to provide the candidates with the evaluation criteria against which they will be chosen.

**Project Description and Requested Services**

The City of Salisbury has a Municipal Service District (MSD) as an overlay of its downtown or part thereof. Pursuant to State of North Carolina General Statute 160A Article 23, the City may collect an additional tax on property within this district with the proceeds being used exclusively on projects, programs and additional services within this district. The City is therefore seeking a private or non-profit agency to enter into a contract to administer and manage the projects, programs and services within this 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 are a strong knowledge of local government practices, federal and state regulations, and physical limitations within the district.

Subject to approval by Salisbury City Council and subject to the availability of funding, the City expects to negotiate a contract for services with the selected agency during the spring of 2016.

**Submittal Timelines**

- **Date of Issue:** **Wednesday, May 11, 2016**
- **Deadline for RFIs/Questions:** **Wednesday, May 18, 2016 until 5:00 p.m. EDT**
- **Post Responses to RFIs/Questions** **Thursday, May 19, 2016 by 12 Noon EDT**
- **Deadline for Proposal:** **Monday, May 23, 2016 by 5:00 p.m. EDT**

## Performance Schedule

Services within the MSD are performed during the City's annual fiscal year, July 1<sup>st</sup> through June 30<sup>th</sup>.

## Submittal Deadline and Requirements

This is an open and competitive process. Agencies are invited to submit Proposal for providing the requested services to the City **by 5:00 p.m. EDT, Monday, May 23, 2016.**

Proposals submitted after this deadline will not be considered.

All Proposals should be limited to **ten (10) pages** submitted prior to the deadline, to include one (1) printed copy and one (1) PDF copy on CD or thumb drive submitted to the following location:

**Janet Gapen**  
**Community Planning Services**

**Email:** [jgape@salisburync.gov](mailto:jgape@salisburync.gov)  
**Phone:** 704-638-5230

**Physical Address:**  
**Salisbury City Hall**  
**217 S. Main Street**  
**Salisbury, NC 28144**

**Mailing Address:**  
**PO Box 479**  
**Salisbury, NC 28145-0479**

Packages should be clearly marked as *"Response to Salisbury Municipal Service District RFP."*

Agencies are urged to carefully check proposals for conformance with the requirements stated in this RFP. 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 RFP and to emphasize the agency's demonstrated capability to provide services of this type.

## Questions/Requests for Information

It is critical that potential respondents are given clear and consistent information. *As a result, we highly encourage those parties wishing to submit Proposal to register by sending an email to the contact person listed above **by 5:00 p.m. EDT, Wednesday, May 18, 2016.*** Registered respondents will be contacted by email regarding any addenda or any clarifications of this solicitation contents.

Questions for clarification will be accepted **until 5:00 p.m. EDT, Wednesday, May 18, 2016.** Questions along with appropriate responses will be distributed via email to all registered firms **by 12 Noon EDT, Thursday, May 19, 2016.** Registration is recommended even if there are no questions in order to stay apprised of responses to questions that may be posed by other firms.

## **Proposal Outline and Requirements**

Interested private/non-profit agencies shall submit the following information, organized as outlined below. The completed proposal should not exceed **ten (10) pages** in length. Recommended page lengths per section are provided solely as a guide.

- Cover Letter (2 pages) – Provide a concise summation of information provided in the Proposal in a cover letter, signed by a manager or director in the agency, including his or her title that he or she has authority to submit the proposal on behalf of the agency
- Qualifications (1 page)–
  - Provide the Agency’s contact information
  - Narrative explaining the agency’s qualifications for the project
- Experience (1 page)–
  - Summary of the agency’s recent experience in providing similar services
  - Project names and descriptions including outcomes of at least two (2) similar projects/services completed by the agency within the last five (5) years
- Organizational Structure (1 page)–
  - List the names and qualifications of key personnel
  - Describe the agency’s organizational structure, including roles assigned to key personnel, board structure, partner agencies and volunteer participation;
- Project Narrative (3 pages) –
  - Narrative explaining the proposed approach to completing the services described under Scope of Work, below.
  - Proposed approaches to attend to the prevalent needs of the MSD identified by property owners and residents, outlined in *Salisbury Downtown MSD - Public Input Summary*, a companion document to this RFP.
  - Proposed schedule of events and promotional activities to be completed during the term of the contract.
- Proposed Budget (2 pages) –
  - Provide a proposed budget for one (1) year of services

## **Scope of Work**

The private or non-profit agency selected to administer the MSD shall be responsible for the following:

- Administer the City of Salisbury’s Main Street Program
- Develop and manage business retention and recruitment efforts downtown
- Establish partnerships with city staff, county staff, area non-profits and others as needed to advance downtown plans for public improvements and private redevelopment
- Work with property owners to identify development opportunities, including upper floor use
- Work with the NC Main Street Program, financial institutions, city staff and others to identify additional funding opportunities for downtown development

- Plan and implement downtown promotions including signature events to include a beer/brewery-themed event, a signature wine event, October Night Out event, and holiday events
- Plan and implement First Friday series of events from Spring through Fall
- Advocate for redevelopment of the Empire property
- Attend to the prevalent needs of the MSD identified by property owners and residents, outlined in the *Salisbury Downtown MSD - Public Input Summary*, prepared in April 2016 as a companion document to this RFP.
- Prepare and present to City Council an annual report of needs of the service district, completed projects, and pending projects
- Carry out any other activities that may be determined during the contract negotiations between the City and the private/non-profit agency

Specific requirements associated with the City of Salisbury's designation as a North Carolina Main Street community:

- Participate in all services provided to the local community by the N.C. Main Street Center.
- Employ a full-time - 40 hours/week paid professional Main Street Manager as required, that is dedicated to downtown and that will coordinate and facilitate the work of the program.
- Designation as a 501(c) 3, 4, or 6 nonprofit organization, or obtain within the contract term
- Establish broad-based support for the commercial district revitalization process, with strong support from both the public and private sectors.
- Establish and maintain an active Board of Directors and Committees using the Main Street Four-Point Approach® and develop a comprehensive Main Street Work Plan using the Main Street Four-Point Approach®.
- Establish an annual work plan/planning process for downtown.
- Adopt and exhibit a Historic Preservation Ethic and design management program.
- Demonstrate an established vision for downtown and a mission that defines the role of the organization that will manage the downtown initiative.
- Have the Main Street Manager attend New Main Street Manager Orientation, held each month in Raleigh, within three months of start date (if not previously attended).
- Have the Main Street Manager attend Main Street Basic Training each time there is a change in management (if not previously attended).
- Fund the local Main Street program through both public and private partnerships at a level allowing for full implementation of the program based on the Four-Point Approach® and the adopted annual work plan.
- Have the Main Street Manager attend Main Street Managers' Meetings held once a year in August.
- Have the Main Street Manager attend Two of Three Tri-annual Regional Meetings each year. (Held in January, July and October.)
- Have the Main Street Manager and a minimum of one volunteer attend the annual N.C. Main Street Conference - (NCMS provides each designated MS community with two complimentary registrations).
- Submit annual Statistical data in July and Budget & Salary information and Program Assessment Survey in January as requested to the NCMS Center.

- Maintain an annual membership with the National Main Street Center at a \$350 designated level.
- Reimburse the NCMS Center's staff travel expenses when they are traveling to the local community at the IRS state rate plus meals at the state per diem rate and lodging.

### **Evaluation Criteria**

Selection of a private/non-profit agency will be made after thorough review of the Proposal by the City of Salisbury staff. The primary considerations for selection are:

1. The agency's recent experience, knowledge, and familiarity with downtown development generally and that of the City of Salisbury specifically.
2. Qualifications to perform the work.
3. Past record of performance.
4. Ability and expertise of the agency's personnel.
5. Proposed approach to administering/managing the MSD.
6. Quality and completeness of the proposal.

A team, comprised of City staff, will evaluate the proposals. This team, in accordance with the criteria listed above, will evaluate all proposals received as specified. The final selection will be the agency 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 agency selected will be notified by telephone. Notification will not be given to those agencies not selected. Once an agency is selected, the City and selected agency will negotiate a contract for services. The Salisbury City Council will conduct a public hearing, after having provided two consecutive weeks public notice, prior to awarding the contract.

### **Contract Terms**

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

### **General Terms of RFP**

This RFP 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 RFP 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 RFP
- 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 RFP and cancel this request with or without the substitution of another RFP
- 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.

**Local and Minority Participation**

The City of Salisbury has adopted a Minority Business Outreach Plan to encourage participation by women and minority businesses in the public bidding process. The purpose of this outreach effort is to increase the likelihood of success in the award of contracts. Bidders are hereby notified that this LOI is subject to the provisions of this Outreach Plan.

Questions regarding the Minority Business Outreach Plan may be directed to, Anna Bumgarner, Purchasing Manager, City of Salisbury, Post Office Box 479, Salisbury, NC 28145 or by phone at (704) 638-5279 or by e-mail at [abumg@salisburync.gov](mailto:abumg@salisburync.gov)

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](http://www.doa.state.nc.us/hub)) to search for HUB vendors directly.

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.

**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.

**INSURANCE:** The Successful Responder (Consultant) 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. **Consultant shall provide evidence of insurance coverage consistent**

**with this requirement prior to contract award.** The Consultant 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 Consultant's general liability policy and provide a waiver of subrogation on the Consultant's workers' compensation policy. In the event of bodily injury or property damage loss caused by the Consultant's negligent acts or omissions in connection with Consultant's services performed under this Agreement, the Consultant'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 Consultant and Consultant's insurance carrier shall give the City at least thirty (30) days prior written notice. **No work shall be performed until the Consultant has furnished to the City the above referenced certificates of insurance and associated endorsements, in a form suitable to the City.** Upon request, the Consultant shall provide the City copies of their insurance policies.

Commercial General Liability: \$1,000,000 per occurrence  
Commercial Auto Liability: \$1,000,000 combined single limit  
Workers' Compensation: \$1,000,000 per occurrence  
Professional Liability: \$1,000,000 per occurrence  
Errors and Omission: \$1,000,000 per occurrence

Certificate of Insurance lists City of Salisbury, PO Box 479, Salisbury, NC 28145, as Certificate Holder.

### **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.