



City of Odessa, Missouri

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REQUEST FOR PROPOSALS # 11-18 CODIFICATION SERVICES

The City of Odessa is requesting proposals for codification services. Proposals should be submitted no later than August 30, 2018 at 5:00 p.m. to the City of Odessa, Missouri. Sealed envelopes should be clearly marked "RFP # 11-18, Codification Services." For more information contact Nici Wilson, City Administrator – 816.230.5577.

Firms submitting proposals must meet the minimum qualifications and criteria as described in Part I herein. Firms meeting the minimum qualifications will be selected on the basis of the following weighted factors:

- 10% Clarity and completeness of proposal
- 30% Professional competence of codifier based on quality of work and proposed solution, responsiveness to client needs as supported by references and customer satisfaction data
- 30% Ability of codifier to meet all project requirements and deadlines
- 30% Technology approach, competence and innovation

The City of Odessa will take pricing into consideration in making its selection, but is not obligated to contract with the lowest-priced codifier if the lowest-priced codifier is not the most qualified technical codifier. The City of Odessa reserves the right to contact firms and request demonstrations of products.

The City of Odessa reserves the right to waive defects and informalities in proposals, to reject any or all proposals, or to accept any proposals as may be deemed in the best interest of the City, in its sole discretion.

Any submission may be withdrawn at any time prior to the time specified herein for the opening of submissions, but no submission may be withdrawn for a period of ninety (90) days thereafter.

The City of Odessa will not be liable for any costs that a firm may incur in the preparation of or presentation of the proposal.

The City of Odessa shall not be obligated to return the firm's proposal once submitted, whether the proposal is withdrawn or not.

Background Information

To assist firms in the preparation of accurate and relevant responses, the City provides the following additional information about the project: 1) To the best of our knowledge the

ordinances of the City of Odessa have never been formally codified. 2) The earliest ordinance found is number 44 enacted on June 6, 1927 and the last ordinance is number 2968 enacted on June 25, 2018. 3) Some of the earlier ordinances were prepared on legal size paper, but the majority were prepared on standard 8 ½ x. 11 sheets of paper. 4) We estimate the average ordinance to be two pages in length.

Please advise if any additional information is required of the City of Odessa in preparation of your bid.

Part I: Qualifications of Codifier

The codifier shall submit proof of competence by providing information that describes the size, experience and stability of the codifier, and which supports its ability to complete the project as specified in this Request for Proposals. At a minimum, this shall include:

1. Number of years in business. In order to qualify for consideration, the codifier shall have no less than twenty (20) years' experience providing professional codification services.
2. Size, capabilities and experience of the codifier.
3. References, including contact information, from five (5) municipalities within the state of Missouri wherein similar projects have been completed.
4. A list of five (5) active clients within the state of Missouri.
5. Average turnaround time data for routine Code updates, along with contact information for references of clients who may verify data.
6. Empirical data from ongoing customer satisfaction surveys.
7. Documentation that supports financial stability of codifier.
8. Project contact person(s) and resumes of staff members who will work on the project. The legal editors shall have demonstrated years of experience codifying municipal laws.

Part II: Scope of Services

The City of Odessa is requesting proposals for the codification of its legislation, hosting of its Code online, creation of a Unified Development Ordinance (UDO), and Code update services. Listed below are the various required components for the codification project. The codifier shall clearly describe in its response a recommended process for providing these components, including a project timeline.

Initial Codification of Legislation:

The codifier shall:

1. Review all legislation to determine and properly incorporate all Code-relevant legislation into the Code.

2. Provide written documentation of the legislation and its disposition.
3. Recommend an organizational and numbering system to be used for the Code with the understanding that the City of Odessa shall have the final approval of the organizational and numbering system for the Code.
4. Provide a complete review of the municipality's legislation, identifying any conflicts or inconsistencies within the municipality's legislation or between the legislation and applicable state statutes. It shall be understood that these recommendations shall not be considered legal advice. The codifier shall provide an example of the format of the report(s) of its findings as part of its response.
5. Make changes to effect uniformity of style and to correct typographical and spelling errors, grammar and usage. Substantive changes shall not be made in the wording of the ordinances. Suggestions for additions or changes in local laws, policies and rules will be submitted to the City of Odessa in consultation with the Municipal Attorney.
6. Submit a legal manuscript for the municipality's review. Any recommendations by the codifier are to be provided to, and discussed with, the City of Odessa.
7. Conduct a conference, in person, by telephone or via webinar, to review the legal manuscript.
8. Provide the City of Odessa with a draft copy of the Code for review prior to publication.
9. Prepare and publish a comprehensive, detailed Code Index with the final publication. The codifier will include an example of a typical Index in its response.
10. Provide three (3) copies of the new Code volumes, printed in an 8-1/2 x 11 inch, single-column page format, housed in heavy-duty post binders, imprinted with the name and Seal of the City of Odessa on the cover and spine of the printed binder.
11. Publish the existing Code online during the initial codification project.
12. Provide materials to assist the municipality in the adoption of the Code as the official body of law of the municipality.

Online Electronic Code:

The codifier agrees to host the electronic Code on the internet so that municipal staff and constituents can use the Code online with any electronic device that has internet access.

The codifier shall:

1. Provide reliable 24/7 hosting services for the online electronic Code.
2. Provide easy and logical navigation of online electronic Code content for constituents and staff.

3. Post online searchable copies of legislation adopted between updates, i.e. legislation not yet codified.
4. Back-up the Code on a secure and reliable Web server.
5. Provide offline alternative viewing options to support slower internet connections.
6. Display full-quality graphics and tables with searchable captions.

Designated municipal staff users shall be able to:

1. Attend live training sessions given by a dedicated training specialist via video conference webinars.
2. Publish Public Documents online in the same platform as the Code to facilitate comprehensive searching.
3. View electronic Code visitor statistics including number of visits and most commonly searched terms.
4. View online archived versions of the Code for historical reference.
5. Download the Code to an editable Microsoft Word document.
6. Search multiple Codes at once to find sample legislation in the codifier's database of client Codes.
7. Insert password-protected annotations into the online Code.

Constituents and staff shall be able to:

1. Search the Code by keywords or phrases.
2. Download an app for searching the Code on smart phones.
3. Print or email at the section, article, and chapter level of the online Code.

Code Update Services (After Initial Codification of Legislation):

The codifier agrees to maintain the Code of the City of Odessa by properly incorporating new legislation as it is passed by the municipality. The Supplements may be published as often as the municipality desires. In its response, the codifier will include average turn-around time. The City of Odessa shall furnish copies of all new legislation to the codifier.

With each Code update, the codifier shall:

1. Determine proper placement of legislation within the Code to properly incorporate Code material.

2. Implement the standard style conventions, internal sectional organizational hierarchy and numbering system to match the Code; correct/update as necessary.
3. Correct any misspellings so that the online electronic Code remains searchable.
4. Confirm accuracy of internal and statutory references; suggest updates as necessary and appropriate.
5. Read and review for missing wording and internal conflicts.
6. Maintain legislative integrity and improve the presentation of tabular material so that the information contained therein is easily accessible.
7. Notify the municipality of any issues and concerns noted, and work together to determine an appropriate resolution.
8. Compose or update supporting documents and ancillary Code pieces, including the Disposition List, Table of Contents, Index, General References, and Editor's Notes.
9. Create an Instruction Page so that paper Code holders can properly update the Code.
10. Update the online Code with each supplement.

Part III: Optional Products and Services

The codifier shall provide proposals for each of the following options, including a complete description of the services and all applicable costs.

Chapter Reprints (Pamphlets):

Codifier can fulfill requests from constituents and municipal officials of certain chapters/sections of the Code. Municipality to identify chapters along with number of reprints of each required

Other project options:

Codifier to describe additional or alternative project options available

Additional capabilities:

Codifier to provide information on additional services it provides to municipal customers

Part IV: Price Quotation Sheet

The codifier shall indicate below the prices for the codification project and any optional products and services described in Part III. The price for the codification project shall reflect the total cost to the City of Odessa for the project as described.

Base Project Price

\$ _____

Project Conference
Codify Legislation through Ordinance 2968

Conversion of the Code into preferred numbering and format
Editorial Analysis
Proofreading and Quality review

Project deliverables included throughout the codification:

Organizational Analysis (Table of Contents)
Editorial and Legal Analysis
Manuscript (Workbook format)
Draft

Final deliverables included:

Publication and shipment of 3 complete sets of the requisite number of volumes
of Code in standard imprinted post binders
Comprehensive Index
Disposition List
Customizable Tabs
Code Adoption Legislation
Hosted online code
Mobile version of the Code
Customized online options

Electronic Online Code

\$ _____

Codifier will provide price for future annual maintenance (after first year) of each requirement.

Hosting the searchable online electronic Code
Back-up of the Code on secure and reliable web server
Hosting not-yet-codified new legislation with the online Code
Download the Code to Microsoft Word format
Insert password-protected annotations
Live webinar training sessions
Archive Versions of the Code
View visitor statistics
Download an application for searching Codes on smart phones
Search across other electronic codes the codifier hosts online
Access archived versions of the Code for historical reference
Access the electronic Code offline

Code Update Services

Options:

Code export services (Excel, PDF,
Additional copies of Code book in binders
Reprints of chapters or portions of the Code
Distribution of Codes/Supplements to subscribers
Post public documents online
Form Based Code conversions

\$ _____
\$ _____
\$ _____
\$ _____

Payment Schedule:

This should include the anticipated payments throughout the project.

Performance Timeline:

This should include an estimate of the codifier's project timeline, including an estimate of the municipality's review time at each stage throughout the project.

Terms and Conditions:

This should include any additional terms and conditions required by the Codification Service Provided.

General Contract Terms:

The costs agreed to are to be firm, fixed prices for the entire contract period and are not subject to increases unless mutually agreeable to both parties. Should an increase be needed, the firm shall be responsible for providing proof of price increase in writing to the City of Odessa not less than thirty (30) days prior to said requested increase.

The City shall not make any advance deposits. Payment for all equipment, supplies and/or services required herein shall be made in arrears.

The City assumes no obligation for equipment, products, materials, supplies and/or services shipped or provided in excess of the quantity ordered or stated hereunder. Any unauthorized quantity is subject to the City's rejection and shall be returned at the firm's expense.

The firm shall provide all equipment, products, materials, supplies and services necessary for the proper execution and implementation of the agreement.

The City of Odessa reserves the right to waive any informality, reject any or all proposals and/or cancel this RFP, all without any obligation to the City.

Minority & Women Business Enterprise Participation:

It is the practice of the City of Odessa to ensure full and equitable economic opportunities to persons and businesses that compete for business with the City, including Minority and Women Business Enterprises (M/WBEs).

The City of Odessa encourages M/WBE participation in contracts for goods and services by firms that are certified. This may either be by the primary firm being a certified M/WBE or by the utilization of qualified subcontractors, suppliers, joint ventures or other arrangements that afford meaningful opportunities for M/WBE participation. Work performed by M/WBEs must provide a commercially useful function related to the delivery of the service/product required herein. Second tier participation where suppliers generally provide supplies to a corporation but that are not directly related to this contract does not qualify as meaningful participation.

M/WBE means a business that is a sole proprietorship, partnership, joint venture or corporation in which at least fifty-one percent (51%) of the ownership interest is held by minorities or women and the management and daily business operations of which are controlled by one or more minorities or women who own it. Minority is defined as belonging to one of the following racial minority groups: African Americans, Native Americans, Hispanic Americans, Asian

Americans, American Indians, Eskimos, Aleuts and other groups that may be recognized by the Office of Advocacy, United States Small Business Administration.

STATEMENT OF QUALIFICATIONS PROPOSAL SIGNATURE FORM

By signing below, I am certifying that I am submitting this proposal as an authorized representative of the below-named firm, have thoroughly reviewed and understand the terms and conditions of the RFP, and am submitting the proposal accordingly.

Dated this _____ day of _____, 2018.

(Authorized Representative Signature)

(Authorized Representative Name/Title)

(Company Name)

(Address)

(City, State, Zip)

(Phone Number/Fax Number)

(Email Address)

THIS FORM MUST BE SUBMITTED WITH THE PROPOSAL

General Terms and Conditions

- 1. Contract Documents.** This Request for Proposals for Codification Services, including without limitation any completed forms as required by the applicant under the Request for Proposals, and Owner's Notice of Award letter shall form a binding agreement and shall be made a part of any Agreement (the Agreement) executed between Owner and the winning Codification Professional regarding the subject matter herein.

- 2. Codification Services.** The Codification Service Professional agrees, when requested by Owner, to provide professional codification services to Owner, which may include but are not limited to those items set forth on page ____.

- 3. Insurance.** During the course of performing its services, the Codification Service Professional/Firm will maintain the following minimum insurance coverage:

| <u>Type of Coverage</u> | <u>Limits of Liability</u> |
|---|--|
| Workers' Compensation Employers' Liability | Statutory \$500,000 |
| Comprehensive General Liability | \$1,000,000 per occurrence, \$2,000,000 aggregate |
| Automobile Liability | \$1,000,000 per occurrence, \$2,000,000 aggregate |
| Umbrella | \$2,000,000 |
| Professional Liability | \$1,000,000 per claim |
| Errors & Omissions | \$1,000,000 |

Owner will be listed as an additional insured in respect to general liability, automobile liability, and umbrella/excess insurance. However, the addition of Owner as an additional insured shall not in any way nullify coverage for claims or actions Owner may have against the Codification Service Professional. The Codification Service Professional will provide to Owner certificates evidencing the required coverage prior to commencing services.

By: _____ (signature)

Printed Name and Title: _____

For and on behalf of: _____ (Company)

FEDERAL WORK AUTHORIZATION PROGRAM (“E-VERIFY”) ADDENDUM

For Contracts with the City of Odessa, Missouri:

Pursuant to Missouri Revised Statute 285.530, all business entities awarded any contract in excess of five thousand dollars (\$5,000) with a Missouri political subdivision must, as a condition to the award of any such contract, be enrolled and participate in a federal work authorization program with respect to the employees working in connection with the contracted services being provided, or to be provided, to the City (to the extent allowed by E-Verify). In addition, the business entity must affirm the same through sworn affidavit and provision of documentation. In addition, the business entity must sign an affidavit that it does not knowingly employ any person who is an unauthorized alien in connection with the services being provided, or to be provided, to the City.

Accordingly, your company:

- (a) Agrees to have an authorized person execute the attached “Federal Work Authorization Program Affidavit” and deliver the same to the City prior to or contemporaneously with the execution of its contract;
- (b) Affirms it is enrolled in the “E-Verify” work authorization program in the United States, and is participating in E-Verify with respect to your employees working in connection with the services being provided (to the extent allowed by E-Verify), or to be provided;
- (c) Affirms that it is not knowingly employing any person who is an unauthorized alien in connection with the services being provided, or to be provided, by your company to the district.
- (d) Affirms you will notify the City if you cease participation in E-Verify, or if there is any action, claim or complaint made against you alleging any violation of Missouri Revised Statute 285.530, or any regulations issued thereto;
- (e) Agrees to provide documentation of your participation in E-Verify to the City prior to or contemporaneously with the execution of its contract with the City (or at any time thereafter upon request), by providing an E-Verify screen print out (or equivalent documentation) confirming your participation in E-Verify;
- (f) Agrees to comply with any state or federal regulations or rules that may be issued subsequent to this addendum that relate to Missouri Revised Statute 285.530; and
- (g) Agrees that any failure by your company to abide by the requirements a) through f) above will be considered a material breach of your contract with the City of Odessa.

By: _____ (signature)

Printed Name and Title: _____

For and on behalf of: _____ (Company)

THIS FORM MUST BE SUBMITTED WITH THE QUALIFICATIONS

FEDERAL WORK AUTHORIZATION PROGRAM AFFIDAVIT

I, _____, being of legal age and having been duly sworn upon my oath, state the following facts are true:

1. I am more than twenty-one years of age; and have first-hand knowledge of the matters set forth herein.

2. I am employed by _____ (“Company”) and have authority to issue this affidavit on its behalf.

3. Company is enrolled in and participating in the United States E-Verify federal work authorization program with respect to Company’s employees working in connection with the services Company is providing to, or will provide to the City of Odessa, to the extent allowed by E-Verify.

4. Company does not knowingly employ any person who is an unauthorized alien in connection with the services Company is providing to, or will provide to, the City.

FURTHER AFFIANT SAYETH NOT.

By: _____ (Signature)

Print Name/Title: _____

On Behalf of: _____ (Company)

STATE OF _____)
) ss.
COUNTY OF _____)

Submitted and sworn to before me this ____ day of _____, 2018.

Notary Public

Print Notary Name

My commission expires:

THIS FORM MUST BE SUBMITTED WITH THE QUALIFICATIONS