

# CITY OF PINOLE



## REQUEST FOR PROPOSALS

*For the Preparation of the City of Pinole  
2023-2031 Housing Element Update and  
Safety Element Update*

**Issue Date: November 24, 2021**

**Revision Date: December 22, 2021  
(incorporates all Addendum changes)**

**Deadline for Responses January 14, 2022, 5:00pm**

**Interviews Scheduled: Afternoon of January 18, 2022, via Zoom  
Recommendation of Contract Award by Council: Anticipated February 1, 2022  
Work to Commence: February 2022**

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The City seeks proposals from qualified consultants or consultant teams to complete a Housing Element Update, Safety Element Update, and creation of a potential Environmental Justice Element (hereafter referred to as the “Project”) and related rezoning as required under State law, in a manner consistent with the Regional Housing Needs Allocation 6 (RHNA 6) planning period (2023-2031) requirements and other applicable state laws.

## **I. INTRODUCTION**

Pinole is a bayfront community of just over 19,000 residents in Contra Costa County, incorporated on June 25, 1903. The City is divided by Interstate 80 (I-80) in that approximately 60 percent of the residential units are located on the north of I-80 and 40 percent of the housing units are located on the south of I-80. The City is bordered by Hercules to the North, San Pablo and Richmond to the South, and the unincorporated areas of Tara Hills and El Sobrante to the southeast and southwest of the City. Pinole has a well-defined, historic downtown, and a range of residential neighborhoods transitioning from older single-family and mixed residential districts on a traditional street grid around the downtown, to more typically suburban neighborhoods arranged around cul-de-sacs and curvilinear residential streets. Higher density apartment townhome complexes, interspersed with commercial sites, are generally located along and near major arterials.

Pinole has a strategic location with connection to a world-class freeway system, including Interstate-80 which connects with easy access to San Francisco/Oakland to the south and Sacramento to the north, along with State Route 4 that is linked to Contra Costa cities such as Concord, Martinez, Pleasant Hill, Walnut Creek and I-680. Within Pinole, three major arterials run along I-80 including Fitzgerald Drive, Appian Way and Pinole Valley Road that include numerous shopping centers. Pinole is known for its 'big box' shopping opportunities and has over 50 major retailers and restaurants situated within Pinole shopping centers. Pinole offers a daytime population of more than 15,000, along with easy access to a trade area population of nearly 190,000 within a 10-minute drive time and an Average Household Income of nearly \$90,000. Pinole has a land area of more than five square miles with much of land containing gently rolling hills, plus a historic and quaint downtown with many turn of the century buildings.

The City of Pinole operates on the City Council-City Manager system of local government with five elected council members serving four-year terms with a rotating mayor.

## **II. GENERAL INFORMATION**

The City is inviting qualified consultant proposals to provide assistance with preparation of the City’s 2023-2031 Housing Element (addressing the 6th Cycle Projection Period of 2022-2030) in addition to other legally required amendments to the General Plan, including an update to the Health and Safety Element to address recent required California climate change, resilience and wildfire planning legislation. Preparation of the Housing Element in addition to other related climate change/resilience planning is expected to be a dynamic process and will require ongoing discussion and engagement with the community, key stakeholders, City Council and City commissions. The Project will include a robust community-wide conversation about housing policy, the density of suitable housing sites (including study of potentially zoning sites at

densities above the “default densities” established by the state), and the geographic distribution of the sites throughout the City.

New State legislation should be thoroughly evaluated when considering potential site inventory selection criteria including strategies on how to achieve no net loss when reviewing projects in the future. The final policies and site inventory options may utilize multiple strategies as the City progresses through the update and engages with stakeholders and the public. The scope of work should consider and build upon existing City goals and policies, as well as the background information contained within the existing Housing Element. It should address each phase of the preparation of and adoption of the Housing Element, including any proposed community workshops and/or other forms of outreach to key stakeholders and interested parties, as well as public hearings for review and adoption. Time is of the essence, due to legally mandated timeframes for adoption.

**Prior RHNA Cycles**

The City of Pinole expects a RHNA of approximately 500 units, compared to 297 units in RHNA 5, representing nearly a 70% increase from the last planning cycle. **Table 1** illustrates the last two cycles and the current Regional Housing Needs Allocation (RHNA) for the City. Based on the increase in the regional RHNA, as well as new state legislation that requires a more detailed analysis of prospective housing sites, the City anticipates that preparation of the update to the Housing Element for the 6<sup>th</sup> RHNA cycle will be more challenging than the last given the following:

- New requirements for identifying eligible sites;
- More factors to consider in allocations (i.e., overpayment of rent/mortgage, overcrowding in residential unit, greenhouse gas emissions, jobs-housing fit); and
- Expanded HCD oversight on methodology and allocations.

**Table 1. Past RHNA Cycle Allocations**

RHNA Cycle	Units Allocated
4 <sup>th</sup> : 2007-2014	323
5 <sup>th</sup> : 2015-2022	297
6 <sup>th</sup> : 2023-2031*	500

*\*Draft, will be finalized in December 2022*

The projected housing unit allocation for the City of Pinole based on income level is shown in **Table 2** below.

**Table 2. 6<sup>th</sup> Cycle Unit Allocation Based on Income Level**

Income Level	Units Allocated
Very Low	121
Low	69
Moderate	87
Above Moderate	223

Pinole’s progress to meeting Cycle 5 RHNA is shown in **Table 4** below. It should be noted that there are five major development applications currently in various stages in the planning pipeline (some with entitlements issued in Fall 2021, and some with entitlement hearings

expected in Winter/Spring 2022). The total of the projected units from these five development projects total 618 additional rental and ownership units, where 293 of those new units are dedicated as affordable units of varying affordability of both rental and ownership stock. See **Table 3**. These pipeline projects are all expected to receive entitlements by the end of fiscal year 21/22 and building permits by the end of 2022 and be constructed within the Cycle 6 planning period. Therefore, staff has applied all pipeline project units by affordability in Table 3 to **Table 4**, with any remaining units over and beyond the RHNA to be carried over to apply to Cycle 6 RHNA (see **Table 5**).

**Table 3. Pipeline Projects in Pinole**

Pipeline Projects	Stage	Affordability				Total
		Very Low	Low	Moderate	Above Mod.	
<b>811 San Pablo (SAHA Veteran's Apartments)</b>	Entitled Fall 2021	28	5	0	0	33
<b>600 Roble (Vista Woods Senior Apartments)</b>	Entitled Fall 2021	7	135	35	0	179
<b>2151 Appian (Appian Village Condominiums)*</b>	Anticipated entitlement Winter/Spring 2022	0	0	31	123	154
<b>2801 Pinole Valley (Apartments)</b>	Anticipated entitlement Winter/Spring 2022	2	5	0	22	29
<b>1500 Fitzgerald (Apartments)</b>	Anticipated entitlement Winter/Spring 2022	13	32	0	189	223
<b>Total Estimate Pipeline Units</b>		50	177	66	334	618

**Table 4. Progress Towards Achieving Cycle 5 RHNA\*\***

Income Level	Permits Issued by Affordability	5 <sup>th</sup> Cycle RHNA	Percentage Attained
Very Low	50	80	62.5%
Low	48	48	100%
Moderate	43	43	100%
Above Moderate	126	126	100%

\*\* As calculated by Staff in 2021, using totals reported in the 2020 Annual Progress Report for Pinole (1 moderate-income unit; 22 above-moderate income units) plus the anticipated pipeline projects

As shown in **Table 4** above, it is anticipated that there will be a deficient of 30 units for the 5th Cycle RHNA in the Very Low-income category only.

**Table 5**, below, demonstrates the anticipated progress towards achieving the Cycle 6 RHNA.

**Table 5. Anticipated Progress Towards Achieving Cycle 6 RHNA**

Income Level	Permits Issued by Affordability	6 <sup>th</sup> Cycle RHNA	Percentage Attained
Very Low	0	121	0%
Low	129*	69	100%
Moderate	24*	87	27.6%
Above Moderate	230*	223	100%

\*Remainder of units by affordability from pipeline projects, after allocation to 5<sup>th</sup> Cycle RHNA

### Grant Funding

The City intends to utilize a number of grants to complete relevant portions of the Project. The City is seeking a consulting team that can provide a superior product in a short period of time with an efficient use of grant and City funds, and recognizes that the remainder of the funding for the Project which is not covered by grant funds will be budgeted from the City’s General Fund. The City has obtained \$160,000.00 from SB 2 Planning Grant funds. The City has obtained \$65,000.00 from Local Early Action Planning (LEAP) funds and \$20,000.00 from REAP (Regional Early Action Planning) funds. All of the LEAP and REAP funds can be used to fund Housing Element Activities. The SB 2 funds can be used in part for ancillary Housing Element activities, however, the focus of the use of the funds will be on preparing environmental analyses that eliminate the need for project-specific review and Objective Design and Development Standards. All final invoices for reimbursement and close-out reports are required to be delivered to HCD on or before September 30, 2023. The contract with the selected consultant will include a provision for full compliance with SB2, LEAP and REAP Grants Program requirements, including (but not limited to) expenses and reimbursements, clear deliverables, and records retention.

### A. Project Objectives

The City is seeking qualified consultants to develop a recommended approach and strategy to:

- Prioritize and craft an updated Housing Element meeting all state and regional requirements and Regional Housing Needs Assessment (RHNA) targets;
- Prepare and integrate other legally required amendments to the General Plan triggered by the Housing Element Update, including updates to the Safety Element pursuant to SB 379 and SB 1035 in addition to evacuation related bills SB 99 and AB 747 to address applicable California resilience planning legislation;
- Assist the City with preparing a targeted update to the General Plan and Specific Plan EIR in order to eliminate the need for project-specific review and to take advantage of any work being done in conjunction with the Project, in addition to development of Objective Design and Development Standards;
- Consider integration of local hazard mitigation planning (AB 2140);
- Assess the requirement/need for planning for environmental justice (SB 1000);

- Ensure robust public engagement;
- Complete the required CEQA documentation
- Use the City's limited resources efficiently and strategize effectively on how to accomplish the Project in the shortest period of time; and
- Ensure the updates are completed on time and required Elements are approved and certified by the California Department of Housing and Community Development (HCD) and any other required agencies.

The proposed updated element will ensure the City's compliance with all state and regional requirements and is legally defensible.

## ***B. Consultant Qualifications***

The City is seeking proposals from consultants with:

- Demonstrated experience updating Housing Elements. The proposal should include enough information for judging the quality and competence of the personnel dedicated to preparation of the Housing Element Update and CEQA determination. This section of the proposal should clearly identify the day-to-day project manager for the project, as well as the key personnel who will perform the actual research and writing. Similar information is also required for all subconsultants for the projects.
- A vision for how this Project offers Pinole a long-term opportunity for integrated health, safety, climate, and resiliency planning.
- Ability to make project presentations, provide public engagement activities, and work with diverse groups of people representing varied points of view.
- Demonstrated professional experience and knowledge of the general principles and background law applicable to Housing Element Updates, as well as familiarity with specific regional requirements that would help the selected Consultant be successful. Including examples of prior work and former clients will be helpful in determining expertise.
- Capacity to deliver the Project by the deadline.

## ***C. Additional Projects/Studies Occurring in Pinole***

The following is a partial list of activities underway, or will be occurring at the same time as the Project, in the Pinole Community Development Department:

- **Communication and Engagement Plan** that identifies the tools, mechanisms, and procedures that the City should use to effectively communicate information to residents and businesses as well as engage residents and businesses in two-way dialog and participation in community and civic affairs (kicked off in November 2021)
- **Comprehensive Economic Development Plan** that includes a focus on downtown redevelopment to activate the core of the community as a destination for the region (kicked off in November 2021)
- **Greenhouse Gas Baseline Inventory** (anticipated to be completed in Spring/Summer of 2022)



- **Overhaul of current permit tracking system** with an online permitting system (RFP release in Winter 2022)<sup>1</sup>
- **Climate Action Plan** (anticipated to commence at conclusion of GHG Inventory)
- **Historic Preservation Ordinance** (adoption hearings in Winter/Spring 2022)
- **Targeted update to the General Plan and Three Corridors Specific Plan** (both adopted in 2010) and updated environmental documentation (anticipated to begin in 2022)<sup>2</sup>

### **III. SCOPE OF WORK**

It shall be the responsibility of the consultant to work with the City to produce a Housing Element and Safety Element update which includes and meets the legal standards and best practices as mandated by the California Department of Housing and Community Development (HCD) and is consistent with State of California Government Code Section 65580-65589.8. Proposals must address the following tasks, providing a description and timeline of how they would be accomplished. Additional or optional tasks may be included, and creative approaches are welcome and encouraged. The final scope of work will be subject to refinement and mutual agreement following the project’s launch and further discussion. It should be highlighted that the City is seeking scope of work and services as additional optional tasks in order to explore efficiencies in completing other important work related to the Project.

Through Pinole’s engagement in ABAG’s Regional Housing Technical Assistance Program (the “Collaborative”), the City anticipates a reduction in costs for some core update tasks, as detailed below. The Collaborative is supported by an approximately half-time technical assistance provider, who is expected to produce draft material for some sections of the housing element that are similar throughout the county, as noted below. Respondents should be prepared to use and/or adapt this material as appropriate, and factor that into their proposal.

#### **A. Project Schedule**

The consultant shall develop a timeline schedule with milestones for the completion of the Project and adoption of the Housing Element by January 2023<sup>3</sup>. The project schedule shall include a detailed explanation of all stages of the project, including, at a minimum:

- Meeting(s) with key staff to refine the scope of work.
- Identification of major milestones, meetings, and work
- Public outreach, workshops, site visits.
- Environmental review.
- Response to HCD review and internal City staff review times.
- Delivery of draft and final draft updated Elements.
- Public adoption hearings (Planning Commission and City Council).

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<sup>1</sup> Balance of unused SB2 funds will be dedicated to this project.

<sup>2</sup> See Section J Anticipated Scope of Work in Section III; this work can run concurrent to the subject Project

<sup>3</sup> The consultant may consider use of the 120-day HCD grace period in scheduling for this project; an adequate buffer of time should be built into the proposal for unanticipated additional meetings or reviews.

## ***B. Project Management and Coordination***

It is expected that there will be superb communication and coordination between the consultant and City staff, including meetings, phone conferences, email exchanges, and other communications to ensure timely delivery and adoption of the City's updated Elements and Project completion. Proposals should identify the number of meetings anticipated and expectations for City staff, both in terms of weekly or monthly City staff time assumed, and/or City resources (e.g., administrative services such as noticing or printing). Strategies or practices to ensure clear and timely communication and effective project coordination should be described. Strategies for ensuring coordination with HCD and/or other agencies over the course of the project should also be addressed, as needed.

## ***C. Community Outreach, Engagement and Public Participation***

The consultant will be responsible for developing an inclusive community engagement plan and will be expected to engage with the community early and often, so the update process is transparent and easily understood, taking into account the unique challenges of COVID-19. This program should focus on an approach to engagement that prioritizes diversity, equity and inclusion and encourages public participation and include strategies to ensure inclusion of hard to reach and special needs populations, with a focus on communicating information so it is broadly accessible and easy to understand. This program should also include strategies for engaging key stakeholder groups (e.g., real estate interests, housing providers, developers) and special attention should be paid to reaching all members of the community per the State's Affirmatively Furthering Fair Housing (AFFH) requirements. Outreach is expected to begin early in the process and continue throughout for feedback on important topics such as draft ideas, site options, the draft Elements, and environmental reviews.

To achieve robust community engagement, the consultants may consider include promoting and advertising public involvement and participation opportunities with a branded public outreach effort, developing citywide surveys to understand needs and priorities of the community, and using outreach and engagement platforms that go beyond the City's standard reach. Proposals should include explicit approaches or options for completing appropriate community engagement remotely or through online or other platforms, in the circumstance that limitations on in-person meetings are extended due to the ongoing COVID-19 pandemic. Proposals should carefully structure the outreach plan to balance the need for abundant engagement opportunities with community "engagement fatigue" while recognizing the tight timeframe for Project completion. Consultant should assume some of the outreach material will be provided by the Collaboration and they will provide a jurisdiction specific newsletter and general housing element documents (e.g., what is a housing element). Consultant should anticipate leading the engagement effort as well as drafting summaries of the input.

At a minimum, outreach should consist of:

- A dedicated and routinely-maintained project website;
- An initial presentation to City Council and Planning Commission and progress presentations to City Council and Planning Commission at key point in the process (possibly through joint meetings to reduce costs);
- Monthly consent-item update staff reports to the City Council and Planning Commission;

*Request for Proposals - Housing Element/Safety Element Update*

***Revised to Incorporate Addendums NO.1, NO. 2 and NO. 3- December 22, 2021***

- Community meetings/workshops (expected to cover both housing element and safety element topics);
- Stakeholder focus group meetings;
- Appropriate Citywide surveys;
- Online/virtual as well as non-technology-based participation opportunities;
- An innovative and unique approach to engaging the community and addressing the digital divide;
- Adequate Planning Commission and City Council Study Sessions; and
- Required Public Hearings with the Planning Commission and City Council for review and adoption.

#### **D. Audit/Assessment**

The consultant will review the City’s current Housing Element, the 2010 General Plan and Three Corridors Specific Plan, the 2020 Annual Progress Report, and other supporting materials as needed to gain insight and understanding of Pinole’s housing progress and priorities.

Specifically, the consultant will:

- Evaluate Pinole’s success in accomplishing/implementing the identified goals, policies and programs of the Housing Element and identify:
  - The effectiveness of each implemented program.
  - Opportunities to build from the momentum of prior successes.
- Provide explanations and updates where goals, policies or programs are in progress, have been abandoned or have not proven effective and identify potential modifications to goals, policies, or programs to increase their effectiveness.

**Note:** It is assumed that the City’s 2020 Annual Progress Report will be the starting point for the consultant for this assessment. Information on Pinole’s progress to achieving 5<sup>th</sup> Cycle RHNA is on the HCD Website<sup>4</sup>.

#### **E. Analysis: Existing Conditions, Needs, Opportunities & Constraints, Site Inventory, Housing Goals, Objectives, Policies, and Programs**

##### **Task 1: Existing Conditions and Needs**

The consultant will be required to produce an assessment that analyzes existing and projected City housing needs to satisfy State Housing Element law, which includes, but are not limited to, the following components:

- Existing Housing stock characteristics, including, but not limited to:
  - Financially assisted housing developments at risk of conversion from affordable to market-rate
  - Overpayment and overcrowding
  - Substandard and illegal housing in existence
- Population, employment, and household characteristics and trends
- Housing cost and affordability
- Housing needs of people in all income categories and specific groups

<sup>4</sup> <https://www.hcd.ca.gov/HousingElements/faces/APRTables.xhtml>

- Supportive and transitional housing needs
- Regional Housing Needs Allocation (RHNA)
- Fair Housing Assessment that will meet the mandated requirements and standards set by the HUD Affirmatively Furthering Fair Housing (AFFH) Rule and AB 686 including:
  - A summary of fair housing issues in Pinole and an assessment of the City's fair housing enforcement and fair housing outreach capacity; and
  - An analysis of available federal, state, and local data and knowledge to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs within Pinole, including displacement risk, and discussion of factors that contribute to these fair housing issues

**Note:** It is anticipated that the Collaborative will provide jurisdiction specific graphs and write-ups for some required data, including population, demographic, housing, market conditions and regional comparisons. Please plan and budget for the work needed to tailor the Collaborative's data/write-ups as needed to Pinole in order to provide a complete existing conditions and needs analysis.

***Task 2: Site Inventory, Evaluation, And Selection/Policy Direction***

The objective of this task is to review and provide analysis of vacant and underutilized sites that could be used to accommodate the next RHNA allocation. Staff expects this phase of the project to include a well-structured process to both identify sites and solicit interest from property owners who may be interested in having their sites considered in the inventory. At the front end of the process, staff and the consultant will work with the community, Planning Commission and City Council to identify criteria to be used to select and rank specific sites for inclusion in the Housing Element. To the extent there are related or separate major policy items to be considered in the process, these would be vetted with the Planning Commission and City Council at this stage. Staff also anticipates engaging with HCD staff early in the site selection process, in particular to ensure that the sites inventory will meet State law requirements and incorporate appropriate assumptions with respect to development capacity of high-density sites.

**Note:** ABAG's Regional Housing Technical Assistance Program is providing a site selection tool for use during this Housing Element Update, which could be utilized by the Consultant. Please factor this into your proposal.

***Task 3 – Housing Constraints***

Consultant will be required to identify and analyze potential and actual governmental and nongovernmental constraints to the maintenance, improvement, and development of housing for all income levels and people with disabilities. The analysis must also identify housing resources and feasible options and opportunities to mitigate or remove such constraints.

**Note:** It is anticipated that the Collaborative will develop a complete cross jurisdictional comparison (e.g., comparison of fees and processing time) in addition to providing write ups of typical countywide non-governmental constraints, including community opposition to housing, cost of construction, limited availability of land and other topics. Please plan and budget for the work needed to tailor the Housing Technical Assistance Program's data/write-ups as needed to Pinole in order to provide a complete housing constraints analysis.

#### ***Task 4 – Housing Goals, Objectives, Policies and Programs***

The consultant will be required to identify specific programs with clear actions, timeframes, funding sources and measurable outcomes that will achieve quantified objectives/milestones and implement the City’s housing goals and policies. The development of such programs must consider the existing Housing Element, General Plan, Specific Plan, housing needs analysis, constraints and opportunities, site inventory, and public input.

#### ***F. Rezoning***

It is unknown at this point if the Project may not ultimately necessitate rezoning. Due to some existing opportunity sites, five major development applications currently in various stages in the planning pipeline totaling 585 additional rental and ownership units, where 275 of those new units are dedicated as affordable units of both rental and ownership stock, in addition to prior progress on the RHNA, rezoning may not be required. However, if it is determined that rezoning is required, the consultant will work with elected and appointed officials, the community, stakeholders, and staff to identify potential areas for rezoning. This must include consideration of the State requirement for maintaining an adequate housing sites inventory throughout the eight-year planning period. This task should be covered under an Anticipated Scope of Work (see **Section J**).

#### ***G. Preparation of Draft Housing Element***

This task includes preparation of a draft plan based on the outcomes of the prior task. The draft plan preparation will include public outreach, including public meetings and check-ins with the Planning Commission and City Council. The draft Housing Element will be submitted to HCD for review and comment during this period, as required by State law. This task will include several subtasks including:

- Finalizing the housing site inventory, and recommended sites for rezoning, and developing CEQA documentation.
- Compile all background sections of the Housing Element to include, but not limited to, the following:
  - Update the existing conditions including housing, population, demographic, and employment data to coincide with recent ABAG/MTC growth projections and data from the U.S. Census, and the California Department of Finance;
  - Update the Housing Needs Assessment to address the housing needs of all sectors of the City’s population;
  - Provide a comprehensive Housing Constraints Analysis which looks at all regulatory and other constraints to housing production, and
  - Draft Goals, Policies and Programs to address the City’s identified housing needs in accordance with the requirements of State law that are quantifiable to address the City’s RHNA as well as provide support for special needs housing for the elderly, veterans, homeless, farmworkers, and populations with disabilities.

As noted, staff expects substantial support for the preparation of background sections of the Housing Element, such as the Housing Needs Assessment and analysis of constraints to housing production through the REAP grant technical assistance program and data package. The consultant’s scope should reflect the availability of these resources as appropriate to

minimize cost and avoid duplication of efforts, and be sufficiently flexible (e.g., through identification of optional tasks) to add or delete scope elements that may be addressed in the REAP program.

## **H. Prepare Final Housing Element, Adoption and Certification**

The consultant will work closely with HCD and City staff to respond to any comments and produce a final draft housing element for adoption. The consultant will present the final draft to the Planning Commission and City Council at public hearings. The consultant will prepare the final Housing Element, including any changes from the public hearings, and submit to HCD for final certification as well as the Pinole-Hercules Treatment Plant, East Bay Municipal Utilities District, West County Wastewater District and the California Office of Planning and Research.

## **I. Coordinated and Targeted Updates to Other General Plan Elements**

### ***Amendments Related to the Housing Element Update***

The consultant shall identify and prepare amendments for sections of the City's General Plan, Specific Plan, Municipal Code, Design Guidelines, and other adopted plans/regulations that may need to be amended (including all tables, figures, maps, etc.) to be consistent with the 2023-2031 Housing Element.

### ***Amendments Related to the Safety Element***

The City is aware that the Safety Element of the General Plan must be updated to meet the legal requirements set out by Senate Bills 1035 (Gov. Code § 65302) and 379 (Gov. Code § 65302.g.4) and that the timing of this required update must be coordinated with the Housing Element update. The City is seeking an extension of the deadline of SB 379 with the Office of Planning and Research (OPR). It is the City's desire to fold this work into the Housing Element Update project to meet the applicable deadlines and CEQA requirements. The Consultant will be required to review and evaluate the current Health and Safety Element including the goals and policies previously adopted to determine necessary revisions to comply with the requirements of Senate Bills 1035, 379 in addition to Senate Bill 1241. Comprehensive plans including the Emergency Operations Plan are currently being updated, so coordination with these efforts and the appropriate agencies may be a component of this task. Portions of the City (along Pinole Valley Road, south of I-80) are in a designated Very High Fire Hazard Severity Zone (VHFHSZ). A comprehensive update to the Safety Element was last completed when the City adopted its General Plan in 2010. The Health and Safety Element update is expected to generate significant public interest due to the VHRHSZ designation and related fire risks. The consultant should budget for public meetings or workshops that will focus on the Safety Element update (or significantly cover the topic at a joint workshop relating to the Housing Element) and build in internal and external communication and engagement efforts surrounding the update.

The update will include safety considerations in the planning and decision-making process by establishing policies related to future development that will minimize the risk of personal injury, loss of life, property damage, and environmental damage associated with natural and man-made hazards. The Health and Safety Element policies are interrelated with mandated topics in the Land Use and Economic Development, Sustainability, Circulation, and Natural Resource and Open Space Elements and will inform the update of Land Use Maps to minimize future development in hazardous areas. The Safety Element will address the City's natural hazards

and human activities that may pose a threat to public safety within the following topic areas: Wildfires, Geological and Seismic Hazards, Flooding, Hazardous Materials, Law Enforcement, and Evacuation. The Safety Element will provide policy direction to supports laws and regulations related to safety hazards as well as policies that support the guiding principles established for the Housing Element and General Plan.

## ***J. Anticipated Scope of Work and Optional/Reserve Tasks***

### ***Rezoning***

It is unknown at this point if the Project may not ultimately necessitate rezoning. If it is determined that rezoning is required, the consultant will work with elected and appointed officials, the community, stakeholders, and staff to identify potential areas for rezoning. This must include consideration of the State requirement for maintaining an adequate housing sites inventory throughout the eight-year planning period. This task should be covered under an Anticipated Scope of Work. For budget purposes, the consultant may provide optional services depending on the level effort that may ultimately be needed.

### ***Update of General Plan and Specific Plan EIR and Development of Objective Design and Development Standards (SB 2 Grant Funding Project)***

This section describes an anticipated scope of work related to the update of the General Plan and Specific Plan EIR and development of Objective Design and Development Standards (SB 2 Grant Funding Project).

The City of Pinole updated its General Plan in 2010. Concurrent with the General Plan update, the City prepared a "Three Corridors Specific Plan" that increased the density and intensity of permitted development along San Pablo Avenue, Appian Way and Pinole Valley Road. The Specific Plan identified key "opportunity sites" that had the potential to redevelop with higher intensity uses, primarily residential mixed-use. The Specific Plan effectively put into place policies and zoning that would allow for an additional 1,076 additional residential units to house an estimated 3,110 individuals. An Environmental Impact Report (EIR) was prepared for the update. However, due to the recession and the dissolution of the local Redevelopment Agency, development under the specific plan is just beginning to occur. Strong developer interest has been recently shown for several sites.

While the Specific Plan and associated zoning includes basic development standards such as height, setbacks and floor area, the Specific Plan is lacking in providing project design standards. As a result, developers often are required to revise architectural drawings several times before the plans can be approved by the City. Objective Design and Development Standards are required to provide additional certainty to developers. This document would define design elements to be included in residential development proposals to help streamline the review process. Development of Objective Design and Development Standards may result in a minor Specific Plan amendment to adjust development parameters, allowed land uses and other standards.

Additionally, since the General Plan/Specific Plan EIR is now almost 10 years old, it cannot be used to provide project specific CEQA clearances for high-density residential projects. Most of these projects require preparation of a Mitigated Negative Declaration or EIR. The preparation of these documents substantially increases the amount of time and costs necessary to approve

a project, acting as a deterrent to housing production. An update to the General Plan/Specific Plan EIR is required in order to provide project specific CEQA clearances in order to accelerate the housing production rate.

Consultant shall develop a base scope of services, schedule and budget for this task. For budget purposes, the consultant may provide optional services depending on the level effort that may ultimately be needed.

### ***Environmental Justice***

In 2016, SB 1000 passed which required cities and counties that have disadvantaged communities to incorporate Environmental Justice policies into their General Plan. If the consultant determines that the City of Pinole meets criteria to adopt an Environmental Justice Element, the consultant will be expected to, at a minimum:

- Identify disadvantaged communities within the area covered by the general plan.
- Identify objectives and policies to reduce exposure to pollution including improving air quality in disadvantaged communities.
- Identify objectives and policies to promote public facilities in disadvantaged communities.
- Identify objectives and policies to promote food access in disadvantaged communities.
- Identify objectives and policies to promote safe and sanitary homes in disadvantaged communities.
- Identify objectives and policies to promote physical activity in disadvantaged communities.
- Identify objectives and policies to reduce any unique or compounded health risks in disadvantaged communities not otherwise addressed above.
- Identify objectives and policies to promote civic engagement in the public decision-making process in disadvantaged communities.
- Identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities.

### ***Local Hazard Mitigation Plan***

The City adopted a Local Hazard Mitigation Plan in 2011 as a planning partner in the Contra Costa County Hazard Mitigation Plan (CCHMP). In 2016, Contra Costa County initiated an update to the CCHMP and Pinole was identified as a planning partner but ultimately did not submit a “notice of intent to participate.” As an optional task, the City is requesting the consultant to provide a scope of work and fee for an updated Local Hazard Mitigation Plan.

The following is Table of Contents that is consisted with CCHMP that would be needed to meet the standards for the plan.

1. Hazard Mitigation Plan Point of Contact
2. Jurisdiction Profile
3. Development Trends
4. Capability Assessment
5. Integration with Other Planning Initiatives
6. Jurisdiction-Specific Natural Hazard Event History
7. Jurisdiction – Specific Vulnerabilities



8. Hazard Risk Ranking
9. Status of Previous Plan Actions
10. Hazard Mitigation Action Plan and Evaluation of Recommended Actions
11. Review and Incorporation of Resources for This Annex.

#### ***Other Applicable Legislative Requirements***

Any other applicable legislative requirements which may apply, but are not identified within this proposal, should be addressed in response to this RFP.

#### ***K. Environmental Review Documents***

The consultant shall prepare, post, notice and file all the appropriate environmental documents for the Project for compliance with the California Environmental Quality Act (CEQA), including the Initial Study, Mitigated Negative Declaration or Environmental Impact Report and CEQA Determination along with any Response to Comments, Mitigation Measures, Mitigation Monitoring Program, Findings of Fact and Notice of Completion. The consultant will be responsible for preparing and presenting environmental documents at any required hearings and coordinating any required consultations. For budgeting purposes, in addition to required hearings, the consultant shall assume some level of public outreach or hearings during the public comment period. In addition, the consultant will be responsible for preparing all legally required notices and mailings, including requirements of SB 18 and AB 52. This should include public posting and noticing for comment. For budget purposes, the consultant may provide optional services depending on the level of analysis that may ultimately be needed. Consultant should develop a proposal that takes advantage of required CEQA work for the project and Anticipated Scope of Work related to the projects with SB 2 funding.

### **IV. RESPONSE REQUIREMENTS**

These instructions outline the guidelines governing the format and content of the proposal and the approach to be used in its development and presentation. The intent of the RFP is to encourage responses that clearly communicate the consultant's understanding of the City's requirements and its approach to successfully provide the products and/or services on time and within budget. All proposals shall address the following items in the order listed below, organized as separate sections of the proposal, and lettered as A-H. If proposing as a consultant team, provide information about the subconsultants as well as the prime consultant. The proposal should be concise and to the point, not to exceed 25 pages. Resumes (Section IV, B), Exceptions (Section IV, D), comments on the City Standard Consulting Services Agreement (Section IV, E), and proposal cover page and table of contents do not contribute to the 25-page limit.

#### ***A. Introduction and Project Approach***

Provide a general introduction and description of the proposed approach and methodology that will be used to complete the Project. This section of the proposal should succinctly demonstrate the consultant's understanding of City of Pinole, Housing Element Updates, the unique needs of this particular project and housing law, and include a discussion of how each of the separate

tasks will be approached, the individual primarily responsible for each task, and the expected number of hours allocated to each task. The introduction letter should also include the following:

- Certification that the information and data submitted is true and complete to the best knowledge of the individual signing the letter.
- The name of the primary firm, the firm's principal place of business, the name and telephone number of the contact person and company tax identification number.
- An acknowledgement of the project schedule and a commitment to completing the project within the required timeframe.
- Acknowledge your receipt of all Addendum/Addenda issued noting the addendum date and number.
- Signature by an authorized principal or partner of the firm.

### ***B. Consultant Description of Qualifications.***

The City is desiring to work with a team with experience working with small communities to achieve state mandates with a win-win philosophy. In addition, the City is interested in collaborating with a team that values diversity, equity, and inclusion in their everyday work and will elevate diverse perspectives, foster an inclusive environment, and embrace an equity centered approach to their work on this project. To that end, in this section the consultant shall:

- Describe the team's qualifications as they relate to the Scope of Work and the approach and methodology proposed.
- Provide a description of experience on similar work the team has successfully completed and resumes of team members, including sub consultants and environmental/technical experts.

Resumes should be included in this section of the proposal, but do not contribute to the page limit. One-page resumes are preferred, and resumes should only be submitted for key members of the team.

### ***C. Work Plan, Project Schedule and Price Proposal/Staffing Plan***

- The work plan shall outline tasks, deliverables and staffing assignments to meet project objectives and required deliverables outlined in the Scope of Work, California Government Code Section 65580- 65589.8, and other applicable state law.
- The project schedule shall cover the life of the project (which is anticipated to be 12-15 months long, starting in February of 2022 and completed by January – May 2023) and include anticipated completion date for each task and deliverable, including meetings. The consultant must provide an acknowledgment of intent to meet the schedule. The price proposal shall demonstrate efficient use of City funds, including efficiencies provided by the Collaboration, concurrent targeted Element update work and some limited City Staff time by both the Planning Manager and Community Development Director. The price proposal must include a project total cost expressed as a not-to-exceed amount of charges to the City. The Proposal also must state an "hourly" fee structure for the services contemplated and pricing for each of the tasks identified as Anticipated Scope of Work or Optional Task. For Anticipated Tasks, or Optional Tasks provided by the consultant, provide the estimate of cost for each task and milestone

*Request for Proposals - Housing Element/Safety Element Update*

***Revised to Incorporate Addendums NO.1, NO. 2 and NO. 3- December 22, 2021***

within that task with hourly billing rates for assigned team members. Any reimbursable costs must be clearly identified.

- It is important to understand in the project schedule how the various grant funding sources will be utilized.
- Time is of the essence, due to legally mandated timeframes for adoption, and strategic and innovative proposals including consolidation of work efforts is encouraged in order to meet the required timeframes.

#### ***D. Exceptions to the RFP***

If the consultant takes exception to any portion of the RFP, the specific portion of the RFP to which exception is taken shall be identified and the reason(s) for the exception explained.

#### ***E. Comments on City Standard Consulting Services Agreement***

The City's Standard Consulting Services Agreement ("Agreement"), will need to be executed prior to the commencement of consultant work on the project (see **Attachment 1**). The Agreement may need to be amended to address the requirements of the LEAP/REAP Grants Program. The proposal should include a statement that the agreement has been reviewed and is acceptable to the consultant and that the consultant will also adhere to the requirements of the LEAP/REAP Grants Program, should the consultant be recommended for award of contract. Alternatively, the consultant shall submit a statement that the agreement would need to be modified, noting those specific modifications. The selected consultant must provide a certificate of insurance in a form acceptable to the City prior to entering into the Agreement.

#### ***F. Disclosure of Conflict of Interest***

Identify any recent, present, or proposed work undertaken by the consultant, any subcontractor or subsidiary, or any other type of business or other relationship that could represent a potential, real, or perceived conflict of interest with respect to this project. A conflict of interest could potentially, for example, include current work under contract to a landowner or developer within the Pinole sphere of influence.

#### ***G. Acknowledgement that Key Personnel Cannot be Substituted Without Permission***

If one or more of the consultant team's key personnel, for whatever reason, becomes (or is expected to become) unavailable for work under this contract for a continuous period exceeding 30 work days, or is expected to devote substantially less effort to the work than indicated in the proposal or initially anticipated, the contractor shall immediately notify the City and shall, subject to the concurrence of the City, promptly replace the personnel with personnel approved by the City. The consultant team shall include this acknowledgement as part of the proposal.

## H. Business License

The City requires a City of Pinole Business License of the selected consultant before the contract is awarded. The proposal should include a statement that the consultant will secure a Pinole Business License, should the consultant be recommended for award of contract.

## V. SUBMITTAL INSTRUCTIONS

Please submit the Proposal as a single PDF file to City by email to Lilly Whalen, [LWhalen@ci.pinole.ca.us](mailto:LWhalen@ci.pinole.ca.us) and Dave Hanham, [DHanham@ci.pinole.ca.us](mailto:DHanham@ci.pinole.ca.us) by the deadline listed in this RFP. Please confirm receipt by requesting a receipt confirmation. In addition, a hard copy may be, but is not required to be, hand delivered to City Hall by the deadline. It is the consultant's responsibility to verify receipt of the Proposal by City Staff.

**A. Questions and Requests for Clarification.** All questions and requests for clarifications related to this RFP can be made until 5pm on December 13, 2021, through email as instructed below. All City responses to questions and requests for clarification will be posted on the City's website by December 16, 2021.

Please direct all questions/ requests for clarification to Planning Manager, David Hanham at [DHanham@ci.pinole.ca.us](mailto:DHanham@ci.pinole.ca.us), with a copy to Lilly Whalen, [LWhalen@ci.pinole.ca.us](mailto:LWhalen@ci.pinole.ca.us).

## B. Anticipated Proposal Review and Contract Award Schedule

The following **Table 6** is an outline of the anticipated schedule for the proposal review, contract award and completion of work. Schedule is subject to change.

**Table 6: Anticipated Proposal Review and Contract Award**

Milestone	Date
RFP Released for Project	November 24, 2021
Deadline to submit questions and requests for clarifications	December 13, 2021, 5pm
Answers to consultant questions and requests for clarifications posted	December 20, 2021
RFP Closing Date	January 14, 2022, 5pm
Proposals Reviewed by City Staff	January 17, 2022
Virtual Interviews with Selected Consultant(s)	January 18, afternoon
City Council Contract Award (anticipated)	February 1, 2022
Work Commences	February 2022
Work Completed	Schedule to be proposed by consultant; Housing Element adopted by January 2023, with a 120-day grace period
<i>Note: Grant funds are required to be expended by September 2023. It is important to understand in the project schedule how the grant funding sources will be utilized.</i>	

## **VI. REVIEW, SELECTION & EXECUTION OF AGREEMENT**

This section provides details on the review, selection, and contract award for the project.

### ***A. Evaluation Criteria***

The city expects to assign a selection committee to evaluate the proposals based on evaluation criteria including the following, which are not necessarily listed in order of importance.

- Experience and technical qualifications of the consultant team in similar efforts – 20%
- Consultant's understanding of the project, as demonstrated by the work plan and approach – 20%
- Outreach Plan/ Proposed Public Participation Process – 20%
- Personnel – Commitment of Senior Staff to the Project, Established and Successful Consultant Team Relationships, and Diverse Representation or Commitment to Equity - 10%
- References - 10%
- Costs - 20%

### ***B. Selection Process***

Proposals will be evaluated by a selection committee to determine each firm's demonstrated competence and qualifications to perform the requested services. As a result of this solicitation, the City intends to award a contract to the responsive bidder whose response conforms to the solicitation and whose bid presents the greatest value to the City, all evaluation criteria considered. The combined weight of the evaluation criteria is greater in importance than cost in determining the greatest value to the City. The goal is to award a contract to the bidder that proposes the best quality as determined by the combined weight of the evaluation criteria. The City may award a contract of higher qualitative competence over the lowest priced response.

## **VII. GENERAL TERMS & CONDITIONS**

The City reserves the right to reject any or all responses that materially differ from any terms contained in this solicitation or from any attachments hereto, to waive informalities and minor irregularities in responses received, and to provide an opportunity for bidders to correct minor and immaterial errors contained in their submissions. The decision as to what constitutes a minor irregularity shall be made solely at the discretion of the City. The City has the right to decline to award this contract or any part thereof for any reason.

### ***A. Limitations***

This RFP does not commit the City to award a contract or to pay any costs incurred in the preparation of a technical proposal in response to this RFP.

### ***B. Rejection of Technical Proposals***

The City reserves the right to reject any or all technical proposals.

### **C. Award**

The successful firm will be required to participate in negotiations as to pricing, technical, or other revisions to its proposal.

### **D. Scope Modifications**

The City reserves the right to request changes to the staffing and/or scope of work contained in any of the technical proposals and to enter into negotiations with any of the firm(s) regarding their submittal.

### **E. Consultant Agreement**

A sample consultant agreement is included in the enclosure. Prospective consultants are expected to meet the City's contract and insurance requirements or otherwise be subject to rejection by the City.

### **F. Non-Discrimination**

Consultants and sub-consultants shall not discriminate on the basis of race, color, national origin, sex, or physical disability in the performance of City contracts.

## **VIII. ATTACHMENTS**

Attachment 1: Standard Professional Services Agreement