



The Woodlands Township

The Woodlands, TX

**REQUEST FOR QUALIFICATIONS AND PROPOSALS
CONSULTING SERVICES FOR GOVERNANCE PLANNING
CONTRACT NUMBER C-2017-0433**

The Woodlands Township is a special purpose district. It is a political subdivision of the State of Texas located in unincorporated areas of Montgomery and Harris Counties. The Township is authorized to collect sales tax, room tax and property tax, and provides a wide range of municipal types of services. These municipal types of services are considered value-added services since they are enhancements to basic service levels provided by the other governmental organizations, such as the county governments.

In 2007, through legislation, a referendum and Regional Participation Agreements (RPAs) with the Cities of Houston and Conroe, The Woodlands gained the ability to determine its future governance structure including the option of incorporation as a municipality at a future date. In accordance with legislation and the RPAs, incorporation can occur at any time prior to 2057 and will require an election by Woodlands voters. The community may also consider alternatives to incorporation.

In the 2017 State Legislative Session, the pathway to incorporation for The Woodlands was clarified through the passage of SB1014 and SB1015.

When the Woodlands incorporates, the responsibility for providing some services previously provided to the Township by the county governments are expected to shift from the County governments to the new city government. The new city would assume the responsibility for providing these services and can do so by providing the services directly as a city operation or entering into an agreement with the Counties where the Counties continue to provide the services with the costs paid by the new city. Some of the service costs and responsibilities expected to shift at time of incorporation are:

- Law Enforcement – would potentially change from a contract service to a municipal department / the Township may consider continuing to contract with the County for this service
- Responsibility for construction / reconstruction costs of city designated roadways within the “new” city boundaries
- Assume roadway maintenance responsibility / public works functions / the Township may consider contracting with the County for this service
- Assume traffic management responsibility / the new city may consider contracting with the County for this service

- Municipal court operation / the new city may consider contracting a qualified jurisdiction for this service
- Facility costs for police, courts and maintenance / the Township has an option which would allow the new city to acquire the law enforcement center on Lake Front Circle from the County

In addition to the additional service costs that may result from a shift of responsibility from the County to the new “city” of the Woodlands, the city may also absorb the operations of other governmental functions such as water, sanitary sewer and drainage which are currently provided through the Woodlands Municipal Utility Districts.

Other city costs may involve new operations such as

- Planning / zoning / building inspection services
- City Secretary/City Clerk
- Public Works / Engineering
- Other

The new city may be able to collect additional revenues, such as franchise fees, court fees and permit fees, to offset some or all of these costs.

The Woodlands Township is issuing this Request for Qualifications and Proposals (RFQ&P) for assistance in exploring the incorporation planning alternatives. A successful RFP&Q submittal must include a comprehensive action plan showing the sequence of the process to be undertaken by the consultant team, the professional personnel to be assigned and the time line to successfully complete all action items included in the Scope of Services. The reports and analysis in this action plan should include a financial analysis, a review of law enforcement services, a street condition analysis / pavement index, a legal analysis, a community analysis with public forums and a process to solicit resident feedback and finally, the development of an Action Plan / Communications / Public Information Process for Board consideration.

Summary of Study Expectations

To develop an effective incorporation planning process, the selected firm must bring together a number of different professional disciplines to develop the information studies / analysis appropriate for consideration of future incorporation.

This incorporation planning process, once initiated, should seek to have all of the studies and analysis completed within a nine to twelve-month period of time.

The intent of the Request for Qualifications and Proposals is to solicit firms and university departments that can provide this broad range of services for the Township with a project manager to coordinate and manage all component parts of this incorporation planning review from project start to finish. The selected firm must assure a close coordination between the consultant, staff and Township Board. Throughout the course of the project, the selected consultant will be expected to

meet and confer with the Township Board on a monthly basis to update, review and affirm the process and next steps.

- The consultant will work with the Township Board to develop an understanding of the types of services that may be provided by a new city and also to consider the pros and cons of potential new revenues sources that may be implemented by the new city. The consultant will seek feedback from the Board on service levels for the new city and also seek feedback on comparable communities when performing the comparative analysis of benchmarked cities.
- A critical part of the financial analysis will be a determination of future roadway replacement costs, major maintenance costs and annual operating and maintenance costs for the road and signal system. The consultant should propose a qualified firm for the analysis of pavement conditions and will discuss the findings of the report with the Board prior to inclusion of the projected future capital costs and operating costs in the financial analysis.
- The consultant will work with the Township Board and county officials to determine the best options for assuming and providing county services that will become the responsibility of the new city government when incorporation occurs. This analysis will consider all aspects of contracting with the county agencies versus the creation of city departments for law enforcement, municipal court services, roadway maintenance, signal maintenance.
- The consultant should work with the Township Board and the MUD's to determine the best options for assuming the water, sewer and drainage functions of the MUD's as city services or allowing the MUD's to continue to operate as independent entities.
- The consultant will work with the Township's contracted municipal legal counsel to review all proposals for services and revenues for the new city to determine that legal authority exists for the proposed service or the proposed revenue source.
- The consultant will work with Township legal counsel to determine the best options for the continuation of government standards while considering implementation of zoning.
- The consultant will provide qualified professionals to conduct public forums to provide information to residents and to seek resident feedback that can be shared with the Township Board of Directors.
- As part of the public forum process, the consultant shall provide an online tax rate calculator to allow property owners to determine the fiscal impact of moving from the current form of government to an incorporated municipality.
- Should the Board determine to place consideration of incorporation before the voters at a general election, the final phase in the process will be the validation through a tax rate study of the maximum property tax rate to be placed on the ballot for voter consideration.

Following the completion of the consultant studies, the Township Board should be provided with a comprehensive report regarding incorporation. This study should summarize resident feedback

regarding the pros and cons of incorporation. Based on this feedback, the Board will determine whether or not to place this matter on the ballot.

I. PROPOSAL PREPARATION INSTRUCTIONS AND INFORMATION REQUIRED IN YOUR PROPOSAL

In order to facilitate the review process and obtain the maximum degree of comparison, please include the following information in your proposal:

General Information

- a. Please submit your Proposal to The Woodlands Township by 5 p.m. on November 10, 2017, to 2801 Technology Forest Drive, The Woodlands, Texas 77381. Attn: Karen Dempsey. kdempsey@thewoodlandstowship-tx.gov. p. 281-210-3808.
- b. Proposals should be mailed or hand delivered; proposals submitted via email will be accepted; however, The Woodlands Township will not be responsible for any delays in transmission or filtering programs that may cause electronic submissions to not be received. It is the responsibility of the responder to ensure that the proposal is received by the date and the time specified. All costs incurred in the preparation of a proposal responding to this RFQ&P will be the responsibility of the responder and will not be reimbursed by The Woodlands Township.
- c. Provide a summary of eligibility in the fields of governance planning, financial impact planning, street condition analysis and public input and education. Provide an overall timeframe of availability to perform consulting services for the Township, including an overall schedule for the project detailing timelines for each task and time estimated to complete the project. Provide a complete list of sub-contractors who will be used on this study with a listing of their professional expertise and responsibilities per this submittal.
- d. The Woodlands Township contracted municipal counsel will provide a legal review in conjunction with the financial analysis to evaluate all costs and revenues included in the financial model. This review will assure that the projected costs and revenues are realistic given the provisions of a general law city, the provisions of the RPA legislation and the Township's enabling legislation. This legal review will not be a part of the consultant's proposal but will be funded separately by the Township.
- e. Profile of the Proposer: Include your office location and number of personnel in your firm who conduct the consulting services outlined in this proposal. Describe the range of activities performed by your firm, including the organizational structure of your firm, years of existence, number and location of offices, total number of employees and total number of employees dedicated to governance consulting.

II. SCOPE OF SERVICES

The Woodlands Township is seeking proposals from consulting firms, university consortiums or others having experience or qualifications in governance planning, research, government finance, public input and community education. The selected consultant / consortium will assist the Board in the evaluation of governance options available to The Woodlands

Township. The selected consultant / consortium will work with the Board of Directors to develop a comprehensive process to facilitate public understanding of options and costs / benefits that may be associated with changing from the current governmental structure to an incorporated municipality.

The selected consultant / consortium will be responsible for development of a professional team that has the expertise and capability to perform all the tasks outlined in this submittal in a timely and professional manner. One of the first tasks of the selected a consultant / consortium will be the development of a comprehensive action plan showing the sequence of the process to be undertaken by the consultant team, the personnel to be assigned and the time line to successfully complete all action items included in the Scope of Services.

The proposed incorporation planning process will require that the consultant provide a process that is systematic in approach and comprehensive in nature. This approach will provide the Board with a range of options including the lowest cost options for incorporation while at the same time providing a review which includes an analysis of the pros and cons of each approach.

For example, the Township Board may consider options of providing some required services via a contract with other agencies versus creating an in-house department. The Board may consider the consolidation of the MUDs into the Township operation and also consider the impact of allowing the MUDs to remain “as is” for the short term. The Township may decide to proceed without a city planning and zoning department and utilize existing covenant standards instead.

Tasks to be performed by the consultant (or others) as part of this engagement are as follows:

1. **Financial Analysis** – Develop an overall impact analysis which shows the financial, operational and legal impacts of changing from the existing special purpose district operation to an incorporated city government or other governance models. The consultant will provide an evaluation of additional costs and additional revenues associated with incorporation. Prior to initiating the study, the Consultant **will confer** with the Township Board of Directors to evaluate the assumptions to be used in the financial analysis. These assumptions will consider the following:
 - New services that will be required of the new city at incorporation
 - Cost to continue existing Township services at incorporation
 - Services that may be provided through contract arrangement at incorporation
 - Law enforcement services – Compare creation of a new city department with the continuation of contract service through the Counties
 - Municipal court services - Compare creation of a new city municipal court versus a contract agreement with a qualified jurisdiction

- Street maintenance services - Compare creation of a new city department versus contract service through the County or others
 - Consider county designated roadways where construction / maintenance will be continued by County
 - Consider state designated roadways where construction / maintenance will be provided through TXDOT
 - Consider development of new Township facilities versus use of facilities to be acquired from others at incorporation
 - Staffing levels proposed for the new city when considering other comparable entities (as determined by the Township Board of Directors)
 - New revenues to be implemented by the new city at incorporation / review existing legislation to assure that revenues proposed in the study are allowed per the enabling legislation
 - Consider assumption of MUD's as part of new city versus the continuation of the MUD's as standalone organizations.
 - Consider creation of a city planning and zoning department versus the continuation of existing covenant standards (in place of planning and zoning).
 - Consider impact on continuation of covenant standards if new City adopts planning and zoning standards
 - At the conclusion of this analysis, if the Board determines that it will move forward with placing the incorporation matter before voters, the consultant will provide a tax rate study to determine the tax rate limit to be included in the ballot language.
2. **Review of Law Enforcement Services** – a review of the law enforcement services will need to be done in conjunction with the financial analysis. The purpose of this review is to determine the level of law enforcement / support staff that may be needed by the new city at incorporation versus the contracted cost of using other qualified agencies to provide law enforcement services.
 3. **Street condition analysis / pavement index** – a street condition analysis should be done in conjunction with the financial analysis. The purpose of this analysis is to determine the existing condition of the roadways to be assumed by the new city, the future cost and timeline for the replacement of the roadways (debt service) and to develop a projected annual cost for maintenance of the roadways. The results of this analysis would be included in the operating costs and capital costs projected for the financial model. The new city could consider contracting with Montgomery County for road maintenance services.
 4. **Legal Analysis** –A legal review will be completed in conjunction with the financial analysis to evaluate all costs and revenues included in the financial model. This review

will assure that the projected costs and revenues are allowed with the provisions of a general law city, the provisions of the RPA legislation and the Township's enabling legislation. **The Township's contracted municipal legal team will work with the consultant to complete this review. The cost of the legal review will not be a part of the consultant's proposal but will be funded separately by the Township.**

5. **Community Analysis / Public Forums / Resident Feedback** - The consultant will develop information regarding the pros and cons of incorporation versus The Township remaining a special purpose district. Information will be provided to the public through public forums and the feedback received at public forums should be provided to the Township Board of Directors. The public information provided in these forums should include cost information and analysis gathered in steps 1-4 above. This process should also include an online property tax rate calculator to assist residents in determining the impact that incorporation would have on their situation.
6. **Development of Action Plan / Communications / Public Information Process** – Based on community feedback received from the Incorporation study, the Board will determine if incorporation is placed before the voters in a general election or if the question is postponed until a later date. If this matter is placed before the voters, the consultant will assist the Township in developing a factual communication plan. The Township can provide factual communication but cannot take a position on the ballot issue.
 - a. The Township Board will work with Township contracted legal counsel on development of the ballot question.

III. QUALIFICATIONS AND EXPERIENCE

- a. Include a list of all personnel to be used on this project (whether part of your firm or subcontractors) and their qualifications
- b. Include résumés, with education, background accomplishments and any other pertinent information for each of the key personnel to be assigned for direct work on the project (including subcontractors, if any).
- c. Identify the lead consultant who will be the point of contact for The Woodlands Township.
- d. Provide a description of experience and identify specific qualifications that you believe qualify your firm to perform this work. Include the names, addresses, contact persons, and telephone numbers of prior organizations served.
- e. Provide your conceptual approach to dealing with the tasks outlined in the Scope of Services. How do you propose to address the required tasks and what are the critical elements for success? What is the timeline for accomplishing these tasks? Please provide information on team members to be assigned to each task.

IV. COST STATEMENT

Provide a projected cost schedule for the project. This should include an estimated budget for the project and a summary of billing rates to be charged for each individual working on this project for the term of the agreement. Please include details of estimated out of pocket costs will be billed separately (e.g. travel costs).

V. EVALUATION AND REVIEW OF PROPOSALS

The review and selection criteria will be based on the written proposals and responses during any interview sessions, if conducted. The proposals will be evaluated based on the following criteria:

- a. Approach
- b. The assembled team of professionals / Experience in the areas of consulting services described in the Scope of Services
- c. Demonstrated knowledge
- d. Years of experience and qualifications
- e. Previous history with public sector entities, special districts, municipalities
- f. Lead Consultant's involvement and scope of work
- g. Pricing scale of services
- h. Familiarity with Texas, The Woodlands and The Woodlands Township
- i. References/provide at least three professional references from projects in the last three years

The Woodlands Township, at its discretion, may request presentations by or meetings with any or all responders to clarify or negotiate modifications to the firm's proposal. However, The Woodlands Township reserves the right to make an award without further discussion of the proposals submitted. Therefore, proposals should be submitted initially on the most favorable terms, from both technical and price standpoints, which the firm can propose.

VI. MANDATORY PRE-SUBMISSION CONFERENCE

The Township will conduct a Pre-submission conference on Monday, October 9, 2017 at 10 a.m. (CDT), at the Township Town Hall, Conference Room 150/152 at 2801 Technology Forest Blvd., The Woodlands, TX. 77381. The Pre-submission conference is mandatory and may be attended in person or via conference call. Parties interested in attending or participating in the pre-submission conference must notify the Township no later than October 2, 2017.

Any questions in advance of the pre-submission conference must be submitted in writing

and will be answered during the pre-submission conference. Answers to questions will also be posted on the Township website as part of the Bid Posting. Questions asked after the pre-submission conference will only be posted on the Township website as part of the Bid Posting. All potential proposers are encouraged to sign up on the website to be automatically notified of updates to the posting.

VII. SUMMARY OF KEY DATES:

Following are the key dates of the submission process:

Date	Time	Event
August 21-October 2, 2017		Request for Proposals and Qualifications Issued and advertised.
October 2, 2017	5 p.m. (CDT)	Deadline to notify Township of interest.
October 9, 2017	10 a.m. (CDT)	Mandatory Pre-Submission Conference / Conference Call
October 20, 2017	5:00 p.m. (CDT)	Last Day to Submit Questions
October 27, 2017	5:00 p.m. (CDT)	The Woodlands Township Response to Requests for Clarification
November 10, 2017	5:00 p.m. (CST)	Deadline for Submitting Proposal Package

VIII. TERM OF AGREEMENT

This agreement is expected to be a long-term agreement with services to be provided between 2018 and until such time as an incorporation election is called.

Please be advised that in compliance with State of Texas Government Code, Section 2252.908, the successful business entity awarded a contract by the Board of Directors of The Woodlands Township must complete Form 1295 – “Certificate of Interested Parties” – and must provide a signed and notarized printed copy of the form and a separate certification of filing. The form can be found at www.ethics.state.tx.us.

IX. RIGHT TO REJECT

The Woodlands Township reserves the right to reject any and all proposals received in response to this RFQ&P. A contract for the accepted proposal will be based upon the factors described in the RFQ&P.