

TERMS OF REFERENCE

1.0 Introduction

The Town of Yarmouth is the fifth largest Town in Nova Scotia, with a population of 6,761 residents. Yarmouth was founded in 1761, and the Town of Yarmouth was incorporated in 1890. Since 1890, the Town of Yarmouth has been served by a Mayor and 6 councillors.

Yarmouth is the financial, business, education and lifestyle centre for the 70,000 people who live in the tri-counties of Yarmouth, Digby and Shelburne. The Town's population approximately doubles on weekdays with the influx of workers and students from surrounding areas.

With Canada's most lucrative fishing industry, Yarmouth and the Acadian Shores have a culture and economy historically tied to fishing and related industries. The Port of Yarmouth, located in the heart of the world's most productive lobster fishing grounds, is central to Yarmouth's history and development.

Yarmouth's citizens and businesses have always seen the importance of taking pride in their community and how it is presented to those who live and visit here. The distinctive architecture within Yarmouth, old and new, festivals and events, and the parks and trails in Yarmouth show the pride in the community.

2.0 Study Objective

Section 369 of the *Municipal Government Act* requires every municipality to conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of Councillors. After the study is completed, Council must apply to the N.S. Utility and Review Board to confirm or alter the number of Councillors and boundaries of polling districts. The objective of this study is to provide a study meeting the requirements of this review process. The study must be completed and submitted to the Town of Yarmouth by December 5, 2014.

3.0 Study Area

This study will cover the jurisdiction of the Town of Yarmouth.

4.0 Consultant Services

A consultant is being sought to undertake the following work:

- a. Review governance structure of the Town of Yarmouth;
- b. Collect and analyze statistics such as population, number of electors, and comparisons must be made to other Towns and municipal governments;

- c. Develop an analysis of at least three options for governance for the Town of Yarmouth, with one option being status quo;
- d. Conduct a public consultation on three options, including a Town Hall style meeting as well as an on-line survey. Other options may be proposed;
- e. Recommend to Town Council a number of polling districts, the boundaries for each and number of Councillors to represent the citizens of the Town of Yarmouth on Town Council.

5.0 Proposal

The consultant's proposal shall have a clear understanding of all of the work to be undertaken as described in the RFP, and shall demonstrate a commitment to carry out all of the work outlined in the RFP within the proposed timeline.

Attached to the proposal will be all relevant information on the Consultant and all members of the team. This shall clearly identify the prime Consultant and the areas of responsibility for each member of the Consultant's team including their experience, education and other relevant information.

The proposal must identify a Project Manager who will be Town of Yarmouth's primary contact with respect to this project. The proposal must also provide a table showing the anticipated time involvement for each of the key personnel and for each category of service (technical, clerical, etc.)

6.0 Content of Proposals

6.1. Cover letter – The proposal shall include a cover letter that provides an executive summary and the total budget, including professional fees, disbursements, other expenses and HST.

6.2 Company Identification – The proposal must provide the following information:

(i) **Company Contact Information** – state the legal name, full street address, telephone number, fax number and email address of your company;

(ii) **Description of Business** – generally describe the type of services provided as well as the total number of employees, head office location and any branch offices within your company; and

(iii) **Other Information** – specify any other conditions of information, of which Town of Yarmouth should be aware, that may affect the successful completion of this project.

6.3 Project Manager – Identification of the project manager and, if applicable, all personnel involved in this project along with a description of their respective roles, skills, and qualifications.

- 6.4 Comprehension** – The proposal shall include a section on the understanding of applications before the NSUARB regarding the number of Councillors and polling districts including the government requirements that are to be met by Town of Yarmouth in such an application.
- 6.5 Corporate Experience** – The proposal must include descriptions of previous works performed by the consultant that are directly related to the work of this research. Contact information for references regarding these previous works must also be provided.
- 6.6 Curriculum Vitae** – The proposal must include the curriculum vitae of all project team members.
- 6.7 Corporate Standing** – Must be currently in good standing with the Nova Scotia Registrar of Joint Stock Companies.

7.0 Proposal Submission

7.1 Proposal Format

A minimum of five (5) hard copies (8 ½ inch x 11 inch format) shall be delivered in a sealed envelope clearly showing the words 'Town of Yarmouth - Review of Number and Boundaries of Polling Districts PROPOSAL' and the company's name on the front of the envelope and addressed as follows:

**Attention: Jeff Gushue, CAO, Town of Yarmouth
400 Main Street, Yarmouth N. S.
B5A 1G2**

- 7.2** Proposals are to be presented in a sealed package by **2:00 p.m. on October 06, 2014**. Any proposals received after this closing time will be returned unopened.
- 7.3** No changes may be made to proposals after they have been received. If more than one proposal from a consultant is submitted, only the proposal with the latest time/date stamp on the closing date herein specified will be opened and considered.
- 7.4** TOWN OF YARMOUTH reserves the right to reject any or all proposals or to accept any proposal should it be deemed in the interest of TOWN OF YARMOUTH to do so.
- 7.5** TOWN OF YARMOUTH is not obliged to accept the proposal with the lowest cost.
- 7.6** TOWN OF YARMOUTH will evaluate all submittals to determine which Consultants have the experience and qualifications that are most suited for this project. The Town may request personal interviews with Consultants.
- 7.7** Facsimiled or electronic mail submissions will **not** be accepted.

Any questions related to this proposal are to be addressed to the CAO, Jeff Gushue, email: admin@townofyarmouth.ca, with the subject line "GOVERNANCE AND BOUNDARY RFP QUESTION"

Proposals will be evaluated in accordance with the criteria below:

Proposal Evaluation Criteria

Criteria	Maximum Percentage
Expertise of Firm, Project Team, Organization and Personnel -Team Composition -Relevant Experience -References	60%
Submission Quality -Completeness -Clarity and Conciseness	20%
Level of Effort	20%
TOTAL	100%

8.0 Instructions to Consultants

- 8.1** TOWN OF YARMOUTH reserves the right in its sole discretion to immediately terminate the project for cause, including but not limited to such items as nonperformance, late deliveries, inferior quality, pricing problems, etc. In addition, TOWN OF YARMOUTH may elect to terminate the project if the original terms of the proposal are significantly changed by the Consultant, by giving written notice to the Consultant.
- 8.2** Under no circumstances will any part of a contract resulting from this Request for Proposals be subcontracted or assigned to another firm, person, or company without the prior written authorization of the TOWN OF YARMOUTH.
- 8.3** TOWN OF YARMOUTH reserves the right to negotiate minor changes or variations with the Consultant without a general proposal recall, provided any such changes would not be deemed to have an effect on the relative standing of all the Consultant proposals or be in any way otherwise prejudicial to them.

8.4 TOWN OF YARMOUTH foresees a fairly high level of interaction between the Consultant and TOWN OF YARMOUTH. Therefore, TOWN OF YARMOUTH anticipates that the Project Coordinator appointed by the Consultant shall be readily accessible throughout the duration of the project.

9.0 Consultant Expenses

Consultants shall be solely responsible for their costs in preparing a proposal and any subsequent negotiations.

10.0 Ownership of Material

All documents submitted to the TOWN OF YARMOUTH, including but not limited to, such documents as proposals, maps, discussion papers and working reports shall become the property of TOWN OF YARMOUTH, and the Consultant shall assign copyright to the TOWN OF YARMOUTH.

11.0 Pricing

11.1 The pricing of the work shall reflect the appropriate magnitude for such a project and shall include the HST.

11.2 The proposal must include a breakdown of the costs to include the work identified herein, including all material costs, labour costs (hours to be worked per individual hourly rates), expenses/disbursements, applicable taxes, and any other costs so as to be the final cost to the TOWN OF YARMOUTH for the proposed project.

11.3 All prices must be in Canadian funds.

12.0 Contract

12.1 If a proposal is accepted, the Consultant will be required to sign a Contract which will be governed by the laws of the Province.

12.2 These Terms of Reference and the Consultant's proposal will form part of the Contract by attachment and incorporation by reference.

12.3 The awarded company must have an initial meeting with the TOWN OF YARMOUTH once the Contract is awarded.

12.4 In carrying out this project, the Consultant will act as an independent consultant and shall indemnify and save harmless the TOWN OF YARMOUTH against all claims, demands, loss, cost, damages, actions, suits or other proceedings by whomsoever brought or prosecuted for any damages, injury, or infringement resulting from activities under this project and will obtain appropriate liability insurance to cover such matters naming the TOWN OF YARMOUTH as a co-insured. A copy of such coverage shall be provided by the Consultant to the TOWN OF YARMOUTH prior to commencing any work in this matter.