



REQUEST FOR EXPRESSIONS OF INTEREST AND STATEMENTS OF QUALIFICATIONS

Title: Professional Services for Climate Action Strategy -
Energy Step Code, Community Plan and Zoning Bylaw

Reference No.: 1220-050-2022-010

FOR PROFESSIONAL SERVICES

(General Services)

Issue Date: December 23, 2022

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REQUEST FOR EXPRESSIONS OF INTEREST AND STATEMENTS OF QUALIFICATIONS

1. INTRODUCTION

1.1 Purpose

The purpose of this Request For Expressions of Interest and Statements of Qualifications (the “**RFEOI/SOQ**”) is to:

- (a) invite submissions (the “**Submission**”) from respondents (the “**Respondent**”) that describe the desire, relevant expertise, capability and resources of the Respondent to undertake the project requirements as described in Schedule A – Scope of Services; and
- (b) select a Respondent or Respondents who may be invited to participate in the next stage of the competitive solicitation process, when called.

1.2 Definitions

In this RFEOI/SOQ the following definitions shall apply:

- (a) “**BC Bid Website**” means www.bcbid.gov.bc.ca;
- (b) “**City**” means the City of Surrey;
- (c) “**City Representative**” has the meaning set out in Section 2.3;
- (d) “**City Website**” means www.surrey.ca;
- (e) “**Date**” has the meaning set out in Section 2.2;
- (f) “**Evaluation Team**” means the team appointed by the City;
- (g) “**Preferred Respondent(s)**” means the Respondent(s) selected by the Evaluation Team;
- (h) “**Respondents**” (individually the “Respondent”) means an entity that submits a Submission in response to the RFEOI/SOQ issued by the City;
- (i) “**RFEOI/SOQ**” means this Request for Expressions of Interest and Statements of Qualifications;
- (j) “**Services**” has the meaning set out in Schedule A; and
- (k) “**Submission**” means a submission submitted in response to this RFEOI/SOQ.

2. INSTRUCTIONS TO RESPONDENTS

2.1 Address for Submission Delivery

The Respondent should submit the Submission **electronically** in a single pdf file which must be received by the City by email at: purchasing@surrey.ca

Confirmation of receipt of email will be issued. Submissions that cannot be opened or viewed may be rejected. A Respondent bears all risk that the City's receiving equipment functions properly so that the City receives the Submission.

Note: The maximum file size the City can receive is 10Mb. If sending large email attachments, Respondents should phone [604-590-7274] to confirm receipt.

2.2 Date

The City would prefer to receive Submissions on or before January 19th, 2023 (the "Date").

2.3 Inquiries

All inquiries related to this RFEOI/SOQ should be directed in writing to the person named below (the "**City Representative**"). Information obtained from any person or source other than the City Representative may not be relied upon.

Name: Sunny Kaila, Manager, Procurement Services

Email: purchasing@surrey.ca

Reference No.: 1220-050-2022-010

Please Note: City Hall is closed for Winter Break from December 26th to January 2nd returning to operation on January 3rd. Any correspondence sent to the City will be acknowledged once City Hall has reopened.

Inquiries should be made no later than five (5) business days before the closing Date. The City reserves the right not to respond to inquiries made within five (5) business days of the closing Date. Inquiries and responses will be recorded and may be distributed to all Respondents at the discretion of the City.

Respondents finding discrepancies or omissions in the RFEOI/SOQ documentation or having doubts as to the meaning or intent of any provision should immediately notify the City Representative. If the City determines that an amendment is required to this RFEOI/SOQ, the City Representative will issue an addendum in accordance with Section 2.4. No oral conversation will affect or modify the terms of this RFEOI/SOQ nor be relied upon by any Respondent.

2.4 Addenda

If the City determines that an amendment is required to this RFEOI/SOQ, the City Representative will issue a written addendum by posting it on the BC Bid Website at www.bcbid.gov.bc.ca and the City Website at www.surrey.ca (collectively, the “Websites”), and upon posting, any addenda will form part of this RFEOI/SOQ. It is the responsibility of Respondents to check the Websites for addenda. The only way this RFEOI/SOQ may be added to, or amended in any way, is by a formal written addendum. No other communication, whether written or oral, from any person will affect or modify the terms of this RFEOI/SOQ or may be relied upon by any Respondent. By delivery of a Submission, the Respondent is deemed to have received, accepted and understood the entire RFEOI/SOQ, including any and all addenda.

2.5 Status Inquiries

All inquiries related to the status of this RFEOI/SOQ, including whether or not a Respondent has been selected, should be directed to the City Website and not to the City Representative.

3. SUBMISSION

3.1 Signature

The Submission should be signed by a person authorized to sign on behalf of the Respondent and include the following:

- (a) If the Respondent is a corporation then the full name of the corporation should be included, together with the names of authorized signatories. The Submission should be executed by all of the authorized signatories or by one or more of them provided that a copy of the corporate resolution authorizing those persons to execute the Submission on behalf of the corporation is submitted;
- (b) If the Respondent is a partnership or joint venture then the name of the partnership or joint venture and the name of each partner or joint venturer should be included, and each partner or joint venturer should sign personally (or, if one or more person(s) have signing authority for the partnership or joint venture, the partnership or joint venture should provide evidence to the satisfaction of the City that the person(s) signing have signing authority for the partnership or joint venture). If a partner or joint venturer is a corporation then such corporation should sign as indicated in subsection (a) above; or
- (c) If the Respondent is an individual, including a sole proprietorship, the name of the individual should be included.

4. EVALUATION AND SELECTION

4.1 Evaluation Team

The evaluation of Submissions will be undertaken on behalf of the City by an Evaluation Team. The Evaluation Team may consult with others including City staff members, third party consultants and references, as the Evaluation Team may in its discretion decide is required. The Evaluation Team will give a written recommendation for the selection of Preferred Respondents to the City. Such discussions will not in any way create a binding contract between the City and any such Respondents.

The City will make the final decision regarding any Respondent or terminate the RFEOI/SOQ process at its sole discretion. The City will then advise all Respondents and the selected Respondents in writing of the City's decision.

4.2 Evaluation Criteria

The Evaluation Team will compare and evaluate all Submissions to determine the Respondent's strength and ability to provide the Services in order to determine the Submission which is most advantageous to the City using the following criteria:

Criterion 1: Respondent's business and technical reputation and experience and expertise and experience of its personnel and project team;

Criterion 2: Respondent's business experience and expertise with this type of project; and

Criterion 3: Respondent's approach to climate action and sustainability as it relates to the scope of work described herein.

The Evaluation Team will not be limited to the criteria referred to above, and the Evaluation Team may consider other criteria that the team identifies as relevant during the evaluation process. The Evaluation Team may apply the evaluation criteria on a comparative basis, evaluating the Submissions by comparing one Respondent's Submission to another Respondent's Submission. All criteria considered will be applied evenly and fairly to all Submissions.

4.3 Evaluation Process

To assist in evaluation of the Submissions, the Evaluation Team may, in its sole and absolute discretion, but is not required to:

- (a) conduct reference checks relevant to the project and background investigations of the Respondent, and any subcontractors proposed in the Submission, with internal and/or external sources, and consider and rely on any relevant information received from the references and from any background investigations in the evaluation of Submissions;

- (b) seek clarification or additional information from any, some, or all Respondents with respect to their Submission, and consider and rely on such supplementary information in the evaluation of Submissions;
- (c) request interviews/presentations with any, some, or all Respondents to clarify any questions or considerations based on the information included in Submissions, and consider and rely on any supplementary information received from interviews/presentations in the evaluation of Submissions; and
- (d) seek confirmation that the inclusion of any personal information about an individual in a Submission has been consented to by that individual.

The Evaluation Team is not obligated to complete a detailed evaluation of all Submission and may, after completing a preliminary review of all Submissions, identify and drop from any detailed evaluation any Respondent which, when compared to the other Respondent, the Evaluation Team judges, in its sole discretion, to not be in contention to be selected as the Preferred Respondent.

4.4 Litigation

In addition to any other provision of this RFEOI/SOQ, the City may, in its absolute discretion, reject a Submission if the Respondent, or any officer or director of the Respondent submitting the Submission, is or has been engaged directly or indirectly in a legal action against the City, its elected or appointed officers, representatives or employees in relation to any matter, or if the City has initiates legal action.

In determining whether or not to reject a Submission under this section, the City will consider whether the litigation is likely to affect the Respondent's ability to work with the City, its consultants and representatives and whether the City's experience with the Respondent indicates that there is a risk the City will incur increased staff and legal costs in the administration of an agreement if it is awarded to the Respondent.

5. GENERAL CONDITIONS

5.1 No City Obligation

This RFEOI/SOQ is simply an invitation for Submissions for the convenience of all parties. It is not a tender or a request for proposals and does not commit the City in any way to pre-qualify a Respondent(s), and the City reserves the complete right to at any time reject all Submissions, and to terminate this RFEOI/SOQ process.

5.2 Respondent's Expenses

Respondents are solely responsible for their own expenses in preparing, and submitting a Submission, and for any meetings, negotiations or discussions with the City or its

representatives and consultants, relating to or arising from this RFEOI/SOQ. The City and its representatives, agents, consultants and advisors will not be liable to any Respondent for any claims, whether for costs, expenses, losses or damages, or loss of anticipated profits, or for any other matter whatsoever, incurred by the Respondent in preparing and submitting a Submission, or participating in subsequent proposal requests, negotiations for an agreement, or other activity related to or arising out of this RFEOI/SOQ.

5.3 No Agreement

By submitting a Submission and participating in the process as outlined in this RFEOI/SOQ, Respondents expressly agree that no contract of any kind is formed under, or arises from, this RFEOI/SOQ, prior to the signing of a formal written agreement.

5.4 Conflict of Interest

A Respondent shall disclose in its Submission any actual or potential conflicts of interest and existing business relationships it may have with the City, its elected or appointed officials or employees. The City may rely on such disclosure.

5.5 Solicitation of Council Members, City Staff and City Consultants

Respondents and their agents will not contact any member of the City Council, City staff or City Consultants with respect to this RFEOI/SOQ, other than the City Representative named in Section 2.3, at any time prior to the award of an agreement or the cancellation of this RFEOI/SOQ, and which could be viewed as one Respondent attempting to seek an unfair advantage over other Respondents.

5.6 Confidentiality

All Submissions become the property of the City and will not be returned to the Respondent. All Submissions will be held in confidence by the City unless otherwise required by law. Respondents should be aware the City is a "public body" defined by and subject to the *Freedom of Information and Protection of Privacy Act* of British Columbia.

5.7 Reservation of Rights

Despite any other provision of this RFEOI/SOQ and customs or trade practices to the contrary, the City has sole and absolute discretion in considering and reviewing Submissions. The City is not obliged to provide reasons to any Respondent with respect to use of City's discretion.

City reserves the right, in its sole discretion, to:

- (a) not proceed with the Project or proceed with only part thereof;
- (b) issue one or more further requests for expressions of interest/statements of qualifications;

- (c) proceed by way of competitive process;
- (d) establish one or more shortlists of Respondents for further consideration;
- (e) negotiate a contract directly with any party (including a Respondent or any third party who did not respond to this RFEOI/SOQ) for all or part of the Project.

City reserves the right, in its discretion, for any reason, and as City deems most advantageous to City, to:

- (a) accept or reject any or all Submissions,
- (b) accept or reject all or any part of a Submission, including any which: (i) are incomplete, obscure, irregular or unrealistic; (ii) fail to comply with or omit required information; or (iii) are non-compliant with, or deviate from, requirements of this RFEOI/SOQ;
- (c) accept unsolicited Submissions;
- (d) reject a Submission even if it is the only Submission received;
- (e) reject a Submission if the Respondent, or any officer or director of the Respondent, is or has been engaged (directly or indirectly) in a legal action against the City in relation to any other matter; and
- (f) invite one or more parties (whether or not they have submitted a Submission) to participate in a further competitive process.

City further reserves the right, in its discretion, to:

- (a) amend or clarify this RFEOI/SOQ and issue addenda;
- (b) cancel, suspend or postpone the RFEOI/SOQ process;
- (c) not proceed with further competitive process(es) with respect to the Project; or
- (d) re-issue the RFEOI/SOQ.

If:

- (a) only one suitable Submission is received; or
- (b) a suitable Respondent has not been selected;

City may, in its discretion, elicit submissions from other parties, engage in another procurement process (including re-issuing a substantially similar RFEOI/SOQ) or negotiate a contract with any party for the whole or any part of the Project.

5.8 No Claims

Each Respondent, by submitting a Submission, irrevocably:

- (a) agrees that it will not bring any claim, demand, action, cause of action, suit or proceeding, whether arising in contract, tort (including negligence) or otherwise (a “**Claim**”) against the City or any of its employees, directors, officers, advisors or representatives, or any one of them, for any costs, damages or other compensation for any matter relating directly or indirectly to this RFEOI/SOQ (including in the event that the City rejects or disqualifies or for any other reason fails to accept a Submission, accepts a non-compliant Submission or otherwise breaches, or fundamentally breaches, the terms of this RFEOI/SOQ or any duties arising from this RFEOI/SOQ; and
- (b) waives any Claim against the City and its employees, directors, officers, advisors or representatives, or any one of them, for any compensation of

whatsoever nature or kind, including for loss of anticipated profits, loss of opportunity, indirect, incidental or consequential damages or losses if no contract is entered into for the work between the Respondent and the City for any reason whatsoever, including in the event that the City rejects or disqualifies or for any other reason fails to accept a Submission, accepts a non-compliant Submission or otherwise breaches, or fundamentally breaches, the terms of this RFEOI/SOQ or any duties arising from this RFEOI/SOQ.

SCHEDULE A - SCOPE OF SERVICES

1. GENERAL BACKGROUND

The City of Surrey (the “City”) is preparing to update its policies for Energy Step Code to reduce greenhouse gas (“GHG”) emissions and improve energy efficiency in new buildings. Concurrently with this, the City is also beginning a comprehensive process to update the Official Community Plan (“OCP”) and Zoning Bylaw (“ZB”). Addressing climate change will be one of the key pillars informing the updates of these three regulations. Commitments driving these policy and regulatory updates support the pending Climate Change Action Strategy (the “CCAS”) which is also in progress.

In 2019 Surrey City Council declared a “Climate Emergency” and in 2020 adopted targets of net zero community GHG emissions and absolute zero corporate GHG emissions before 2050. The CCAS will provide a roadmap to reaching these targets, and introduce interim GHG targets, as well as integrate climate adaptation to reduce risk and improve the community’s resilience to climate impacts. The draft CCAS is in the final stages of review prior to being advanced to Council in Q1 2023. Buildings are responsible for 40% of Surrey’s community GHG emissions, while transportation is responsible for 46%. Ensuring new construction standards phase out carbon pollution at the earliest possible date is a key priority of CCAS, while building design can also support improved climate resilience.

The concurrent and extensive update processes for all three regulations (Energy Step Code, Official Community Plan and Zoning Bylaw) provides a unique opportunity to better align and embed more comprehensive climate change policies and practices into these documents. The last substantial update to the OCP was completed in 2013 and the Zoning Bylaw has not undergone an exhaustive review since it was adopted in 1993.

2. PROJECTS OVERVIEW

The City of Surrey (the “City”) is seeking to identify experienced Consultants with demonstrated capacity, skill, and relevant experience to participate in the next stage of competitive solicitation process, the RFP, and submit proposals for consulting services to review and update key planning and development policies to integrate climate action (the “Services”). Proponents should have experience and knowledge of public sector climate mitigation and resilience policy and legislation, designing sustainable buildings and other infrastructure, conducting climate change vulnerability assessments, local government bylaws, building design guidelines, and planning and designing infrastructure to adapt to our changing climate. The City is considering whether to issue the subsequent RFP as one integrated project or as two separate tenders. Feedback from this RFEOI may help to inform the preferred approach.

As described in further detail in Sections 3 and 4. of this RFEOI/SOQ, the City is seeking Submissions for two related but separate projects.

(a) Resilient Zero-Carbon Building Design Policy Review (“Project 1”)

(b) Official Community Plan & Zoning Bylaw Climate Integration (“Project 2”)

Respondents may submit for one or both of these projects; the City may at its discretion, decide whether to shortlist them separately or jointly. While there may be efficiencies in undertaking both projects together, the City also recognizes that they each may require specific expertise that may not necessarily be provided by a single firm or partnership.

3. PROJECT 1

3.1 Background

The City adopted the BC Energy Step Code in 2018, with updates to higher steps originally scheduled for 2023/2024. Reaching the highest levels of Step Code may have design considerations. Secondly, reducing GHG emissions from buildings in new construction is a key priority of the City's pending CCAS, alongside adaptation to climate impacts. The Province of BC recently initiated consultation on a new carbon pollution standard for inclusion in the Energy Step Code. Finally, reducing embodied carbon in new construction is another emerging priority.

3.1 Desired Outcomes

The overall goal of Project 1 is to ensure that City policies and requirements are aligned with future updates to new construction standards to address the above-noted priorities.

The project will clarify and communicate potential design implications and opportunities to remove barriers, enable, and encourage zero-carbon and climate-resilient practices and approaches for all buildings types subject to the BC Energy Step Code, while meeting other City urban design objectives. The study will provide expert advice, a forum for discussion between staff and industry stakeholders, and recommendations for policy and regulatory updates for new construction to address these barriers and opportunities as necessary.

3.2 Project Objectives

The overall objectives of the study are to review and, where appropriate, recommend updates to the City's building design requirements, guidelines and bylaws to support better energy efficiency, GHG reduction and resilience, including:

- Characterize, assess and recommend approaches to address key considerations to facilitate the transition to zero-carbon resilient buildings from a design perspective, supporting regulatory and policy updates including for Energy Step Code; Support City of Surrey staff knowledge and understanding of the relationships between building design and climate objectives and priorities; and Leverage lessons learned in other jurisdictions and the knowledge of the building industry to inform policy updates and permitting processes.

In addition to technical advice for City staff, communications materials for internal and external use may be included as optional deliverables.

The Project is a partnership with BC Hydro, the expectation is that the final report(s) will take into consideration the desired outcomes for multiple stakeholders. The following issues and considerations may be included in the scope.

- Encouraging and removing barriers to higher energy efficiency standards up to the highest levels of Energy Step Code and Passive House with respect to economic and design considerations;
- Addressing potential barriers to wider adoption of heat pumps;
- Improving resilience to future climate impacts (heat, flooding, wildfire smoke) through design approaches and policy;
- Considerations and costs and barriers of building electrification; and
- Approaches to reduce embodied carbon.
- Recommended policy and regulatory updates to address the above issues.

3.3 Reference Documents:

- City of Surrey Energy Step Code webpage¹
- City of Surrey Designing for Energy Efficient Buildings – a Reference for Planners and Designers²
- BC Hydro - Low Carbon Building Policy Toolkit ³
- Climate Change Action Strategy website⁴

3.4 Anticipated Timeline

If feasible, the future project would be initiated in Q1 2023 and would be expected to be completed by Q2, 2023 as determined by a future competitive process.

4 PROJECT 2

4.1 Background

Both the OCP and the ZB are in the initial stages of being updated and this project will help inform this work. With Council's adoption of net zero GHG targets following its declaration of a "Climate Emergency", staff understand that Council is seeking a more robust treatment of this topic in the new OCP and the ZB. As climate action (both mitigation and adaptation) is now considered an integral part of municipal governance, staff expect that the OCP will integrate climate action in a comprehensive manner, which will then be reflected in the ZB. The preliminary CCAS framework⁵ (which will be further elaborated in the final CCAS) includes several components with potential relationships with the OCP and/or ZB, including Resilient 15-Minute Neighbourhoods, Resilient Zero-Carbon Buildings, and Climate-Positive Resilient Ecosystems.

¹ <https://www.surrey.ca/renovating-building-development/green-buildings/bc-energy-step-code-for-new-buildings>

² <https://www.surrey.ca/sites/default/files/media/documents/DesigningEnergyEfficientBuildings.pdf>

³ <https://www.bchydro.com/content/dam/BCHydro/customer-portal/documents/power-smart/business/programs/low-carbon-building-policy-toolkit.pdf>

⁴ <https://engage.surrey.ca/climate-action-now>

⁵ <https://engage.surrey.ca/climate-action-now>

4.2. Desired Outcomes

Recognizing the importance of land use planning to reaching the City's climate targets, this project supports integration of climate change into the City's OCP and ZB. This work would include, but would not be limited to:

- A comprehensive review of the ZB and OCP with the goal of integrating regulations and incentives to support resilient zero-carbon neighbourhoods, land use and buildings.
- ZB and OCP amendments for high-priority strategies like more housing choice, transit-oriented development, protecting natural areas, infill housing, and low carbon building features.
- Incremental changes to existing regulations and polices with the goal of advancing climate action objectives

4.2.1. Opportunities

OCP – Land use planning plays a critical role in guiding when, where and how the City grows and evolves. The project provides an opportunity to more formally integrate climate action into the OCP. This may include refining and expanding policies and exploring the development of development permit areas to support climate action.

ZB - Zoning plays a major role in developing a compact and complete community, to the extent that directly impacts GHG emission and energy use. Opportunities to refine or expand current Zoning bylaw regulations and zones may lower emissions from transportation, lower energy consumption by buildings, and create incentives for green development to support climate action.

4.3 Reference Documents

- City of Surrey Official Community Plan⁶
- City of Surrey Zoning Bylaw ⁷
- Climate Change Action Strategy website⁸

4.4 Anticipated Timeline

If feasible Project 2 initiation is expected following Project 1 in Q2 2023, and is expected to be completed by Q3, 2023 as determined by a future competitive process.

⁶ <https://www.surrey.ca/renovating-building-development/land-planning-development/land-use-planning/official-community-plan>

⁷ <https://www.surrey.ca/city-government/bylaws/zoning>

⁸ <https://engage.surrey.ca/climate-action-now>

SCHEDULE B – SUBMISSION CONTENT

Respondents should include the information below in their Submission.

A. LEAD FIRM PROFILE

- Firm name & address of lead firm.
- List of relevant completed projects, including short project descriptions for the three most relevant projects, and an approximate total volume of related work for the last five years (organized by year, in Canadian dollars).
- List of similar or related projects currently underway.
- General overview of the lead firm's approach to Climate Action Strategy design.

B. SCOPE OF INTEREST

Respondents should indicate if they are interested in undertaking both Project 1 and Project 2 or if they have a preference for a single Project.

C. PROPOSED PROJECT TEAM

- List and short profile of possible team members (role, qualifications, related experience) and other possible firms. CVs are not required. Please note the RFP(s) issued following this RFEOI will provide more detail about the expertise that will be expected. At this stage, the City is interested in understanding more about lead firms and their proposed partners/subconsultants that may be drawn upon to deliver this type of project. Recognizing that the expertise in certain specialties of climate action and sustainability (including in land use planning and building design) may be limited, there may be overlap in team composition amongst project teams.
- References (project, client name and contact information only).
- List of projects completed in past the 5 years.

D. CORPORATE SUSTAINABILITY

- Overview of corporate commitment to sustainability.

E. ADDITIONAL INFORMATION

Respondents can provide additional information that you think the City of Surrey should consider in evaluating your firm/team.