



**REQUEST FOR PROPOSALS
UNIFIED DEVELOPMENT ORDINANCE
FOR THE CITY OF NEWTON**

Submittal Deadline: September 12, 2025

City of Newton
PO Box 550
401 North Main Avenue
Newton, NC 28658
www.newtonnc.gov
828.695.4277

Released: August 1, 2025



PROJECT INFORMATION:

The City of Newton is seeking the services of a qualified consultant in the development and subsequent adoption of a Unified Development Ordinance (UDO) and associated Zoning Map. The UDO is anticipated to serve as the primary source for land use regulations in the City of Newton. This includes the consolidation of the Zoning, Subdivision, Flood Plain Management, Stormwater, Soil Erosion, Streets, and Utilities ordinances. The new regulations are expected to be user-friendly, consistent, and predictable, and will utilize graphic images, diagrams and charts to emphasize text and visually explain regulations in a user-friendly manner. The city completed a Zoning Ordinance review as a part the comprehensive plan update in 2023 which outlined potential issues and made suggestions to address those items. However, this does not serve as a comprehensive or direct guide of actions for updating the Zoning Ordinance and creating the UDO. The purpose of this review was to identify key issues and the need for a new modern development code.

COMMUNITY BACKGROUND:

Newton is located in Catawba County, positioned in the triangle formed by Asheville to the northwest, Winston-Salem to the northeast, and Charlotte to the southeast, all within an hour-and-a-half drive. The gently rolling terrain blends into the foothills of the Blue Ridge Mountains offering residents and visitors an abundance of scenic attractions, a wealth of recreational options, and a temperate climate with four seasons that are as distinct as they are mild.

Newton was selected as the county seat in 1845 and was incorporated in 1855. The second largest city in the county, Newton has experienced a steady rate of growth since 1970, expanding from 7,600 to the current population of over 13,000 people. The City has a wide array of advantages—challenging places to work, low cost of living, diverse cultures, a vast array of recreational opportunities, arts and culture, and an unparalleled lifestyle. In fact, Catawba County has been recognized as being one of the top ten areas in America to raise a family.

With the newly completed widening of NC 16 to a multi-lane facility linking directly to Charlotte, the development pressure will increase and the need to plan for the transition is imperative. Likewise, on the NC 10 corridor between Startown Road and US 321, development interests have increased with commercial and higher density residential continuously discussed. The growth areas for the city are primarily along these corridors as well as several infill development and redevelopment sites, including the historic downtown square.

PROJECT SUMMARY AND CONSULTANTS' ROLE:

A statement of your firm's capability for such should be included with the proposal. The Consultant's role in this project will be to first work with staff to conduct a detailed evaluation of the current ordinances and develop recommendations for improvement. This evaluation will include the policies and guidance in Blueprint Newton; The Citywide Comprehensive Plan, which was adopted in October 2023. Additionally, the evaluation will address known issues with the current ordinances, recent legislative and regulatory statutory changes and input from the Planning Commission and stakeholders.

During the development of the UDO, the consultant will meet with many stakeholders throughout the city, including City Council, Planning Commission, City Departments and sub-boards, local civic and

community boards, as well as local citizens. Outreach should be approached with many different venues and facets with a focus on community engagement in clever and varied opportunities. The consultant will be under the coordination, guidance and supervision of the Planning Director. Final adoption of the UDO will rest with the City Council.

Overall, the consultant will be responsible for:

- General management of the project
- Drafting and preparation of the plan documents, both printed and electronic
- Graphics, mapping, handout outs, flyers and other material and services
- Data collection, analysis and presentation
- Organization and facilitation of public meetings

Key Points and Updates:

- Modernizes and updates development standards and criteria consistent with the adopted 2023 Blueprint Newton; The Citywide Comprehensive Plan
- Eliminates disorganized and conflicting language into a single document
- Develops organized permitted use matrix, standards and definitions to incorporate new and emerging uses
- Clarifies submittal documents, timelines and expectations of required processes and procedures
- Improves approval and enforcement processes by developing clear and objective standards and removing subjectivity
- Provides user-friendly graphics and checklists to clarify code language
- Defines and permits appropriate special uses to a use-by-right subject to provisions, standards and requirements
- Review of existing zoning districts with recommendations of consolidation or modifications
- Addresses compliance of new requirements and state enabling legislation mandates

PROJECT DELIVERABLES:

The project outcomes and deliverables are to be provided to the planning staff, Planning Commission and City Council to meet and achieve the project expectations:

- A project management plan, based on the overall objectives to deliver an Unified Development Ordinance including a schedule, resources and budget for:
 - An evaluation of the existing codes and development documents;
 - Identify solutions, approaches and directions to update the requirements, regulations and review of proposals in line with modern and emerging practices;
 - Develop an UDO draft for review and subsequent adoption by the City Council.
- Provide a public engagement and communications plan with diverse and varying interactions and activities to all citizens (along with potential workgroups or committees) with timelines, goals and objectives. The City understands there are many different options for community engagement and with the technologies that are available, different firms may have innovative approaches. Alternate methods of community engagement will be considered and potentially accepted based on methods and descriptions by the consultant that meet this need.

- Provide meeting minutes from all engagements and monthly staff status reports. Provide graphics, data, timelines and information for the City’s website to update and inform the citizens throughout the project.
- Provide meeting presentations, materials and to present information throughout the project for workgroups, engagements and public meetings.
- Submit a draft document incorporating data and information generated during the project for staff review, including maps, infographics, charts, followed by an edited proposed final document tracking edits and complete with an executive summary.
 - A complete and final UDO through adoption by the City Council to include all sections and in a format that is easily updated using Microsoft Office applications, .pdf files or similar digital formats, this includes all graphics, tables, charts or illustrations. No specialized, proprietary, subscription-based or third-party platforms will be accepted.
 - A digital interactive searchable web-based plan which clearly links all sections and data to be hosted on the City’s website and be codified by Municipal Code Corporation (MuniCode).
 - A digital Microsoft Word document and nine (9) printed bound copies.
- The consultant will present an overview of the final draft UDO at the end of the project in public hearings before the Planning Commission and the City Council.

The City of Newton will retain all property rights to this document.

PROPOSAL INFORMATION:

This RFP is intended to provide consultants with common, uniform set of instructions to assist them in the development of their proposals as well as to provide a uniform method for a fair evaluation and subsequently selection. Consultants are encouraged to initiate preparation of proposals immediately upon receipt of the RFP in order for all relevant questions and information needs to be identified and answered, and to allow adequate time to prepare a comprehensive and complete response.

The RFP is comprised of the base RFP document, any attachments and any addenda released before the contract award. All attachments and addenda released for this RFP in advance of any contract award are incorporated herein by reference. By submitting a proposal, the consultant agrees to meet all requirements of the RFP as well as any other specifications, requirements and terms and conditions stated.

RFP SCHEDULE:

Below is the schedule for this RFP issuance, questions, proposal submittal and contract reward:

RFP Release:

1. Final Submission of Questions by Interested Consultants: August 22, 2025
2. Final Response to Questions by City: September 1, 2025
3. Submission of Proposals: September 12, 2015
4. Submission Review Completion: September 30, 2015
5. Contract Award: October 6, 2025
6. Commencement of Project: October 2025

PROPOSAL SUBMITTAL:

Sealed proposals, subject to any conditions set forth, will be received no later than 4:00 pm on Friday September 12, 2025 regardless of method of delivery. It is the sole responsibility of the consultant to have the RFP proposal to the City of Newton Planning Department by the specified time and date of submittal. Any proposal received after the date specified in this RFP submission deadline will be rejected.

Mailing Address for USPS submittal	Office Address for other methods submittal
Planning Department UDO RFP Submittal Attn: R. S. Williams, AICP City of Newton Post Office Box 550 Newton, North Carolina 28658	Planning Department UDO RFP Submittal Attn: R. S. Williams, AICP City of Newton Development Services Building 135 North College Avenue Newton, North Carolina 28658

RFP proposals must be submitted with one (1) original printed copy and one (1) electronic copy on a flash drive. The electronic submittal on the flash drive may not be password protected and shall be in a Microsoft Office product or .pdf form and shall be able to be copied or emailed to the review committee members. Please examine this RFP to ensure that the consultant meets all requirements of this RFP and follow instructions carefully. Failure to follow these instructions in the proposal may be considered a non-responsive submission and may result in immediate elimination from further consideration.

Any addenda to this RFP, including answers to questions, clarifications and/or corrections, will be posted on the City of Newton Website for this project – www.newtonnc.gov/UDORFP - and will be the responsibility of the consultant to check this website for such information prior to the proposal due date. All consultants shall be deemed to have read and understood all information in this RFP and addenda, if posted.

Proposals submitted for this RFP shall be valid for a period of one hundred twenty (120) days after the proposal due date. All proposals shall remain confidential until contract is awarded.

PROPOSAL QUESTIONS:

Any question or clarification to this RFP shall be submitted by email to rwilliams@newtonnc.gov by 11:00 am August 22, 2025 and identified in the subject line as Newton UDO RFP Question. There will be no answers provided by telephone. Please be specific with your question. Consultants shall only rely on written responses listed on the City of Newton website for this project. Consultants should not contact other City employees during this RFP process and may be disqualified if this occurs.

PROPOSAL REJECTION:

The City of Newton reserves the right at its sole discretion to reject any and all proposals received without penalty and not to issue a contract for this RFP. The City of Newton also reserves the right at its sole discretion to waive minor administrative irregularities contained in any proposal. The City of Newton reserves the right to negotiate any and all terms with the successful consultant for this RFP.

PROPRIETARY INFORMATION:

Trade secrets or proprietary information submitted by the consultant in connection with a procurement transaction shall not be subject to the public disclosure under the North Carolina Public Records Act pursuant to NCGS 66-152(3). However, the consultant must invoke the protection of this section prior to or upon submission of the data or other materials and must identify the data on other materials to be protected and state the reasons why protection is necessary. DO NOT MARK every page as confidential. Each individual page that is deemed a trade secret or proprietary information must be labeled "CONFIDENTIAL" in the top right corner and lower right corner, however under no circumstances shall pricing information be designated as confidential. Should the City receive a Public Records Request for any information that the Consultant has previously designated as proprietary, and after the City denies such Public Records Request based on Consultant's designation of such documents or information as being proprietary in nature, should the City have legal proceedings brought against it based on the City's denial of providing such records, the City will so inform the Consultant of such pending litigation. It shall then become the Consultant's singular responsibility to defend against said legal proceedings for denial by the City to release the documents in question at the sole cost and expense of the consultant. The Consultant shall indemnify and hold harmless the City, its employees or agents for any expenses incurred as a result of the City's denial of releasing said documents or information in question.

PROPOSAL REQUIREMENTS & CONTENTS:

Responses should be limited to a maximum of 25 pages, not including resumes. Responses exceeding 25 pages may be removed from consideration. Examples should be provided via web links.

Responses must include the information listed below:

1. Cover letter and Executive Summary

- Provide an introduction and executive summary of the consultant's proposal and what will make it superior in addressing the needs of the city and this project.

2. Qualifications: A description of the firm with emphasis on work related to Unified Development Ordinances for cities of similar size. A list of recent projects (with links to completed projects) on which principal staff have worked and description of their responsibilities. For the key project team members (Project Manager and Key Project Staff), include the following information:

- Professional background, experience on similar projects and years of experience
- Primary office location
- Role each individual will take on the project

3. Statement of Project Approach, including the following information:

- Overall approach to the project.
- Scope of work.
- Project schedule.
- Innovative community engagement.

4. Detailed outline of Consultant's management plan, including proposed staff, availability, roles/ responsibilities and what makes the team stand out.

5. If the team includes subconsultants, a detailed explanation of the responsibilities of each firm.

6. Project references, with names and phone numbers of contact persons.

7. Consultant's expectations of the City, including a brief description of the services and tasks that the Consultant would expect the City to provide.

8. Provide firm's current rate sheet along with a proposed cost to complete this project based on your understanding of the RFP. The cost should be broken down and should include expenses (printing, travel, etc.)

DISCLAIMERS:

The City of Newton reserves the right to reject any and all proposals, waive technicalities, and judge the suitability of the proposed services for its intended use, and further specifically reserve the right to make the award in the best interests of the City and negotiate the total fee amount. Upon delivery, all RFP submittals shall become the property of the City of Newton and shall become a matter of public record. If there are any sections of your proposal that may be considered confidential under the law (i.e., trade secrets and proprietary information), please mark these sections of your proposal.

The City of Newton may conduct any reasonable inquiry to determine the responsibility of the consultant. The submission of a proposal constitutes permission by the consultant for staff to verify all information contained therein. If staff deems it necessary, additional information may be requested from any consultant. Failure to comply with such request may disqualify a proposer from consideration.

The consultant must be registered with the State of North Carolina Secretary of State, in good standing and authorized to do business in the State of North Carolina.

COSTS:

The City of Newton is not liable for any costs incurred by those who submit proposals.

EVALUATION, SELECTION AND AWARD:

Proposal Evaluation

Upon close of the RFP, proposals will be reviewed by City Staff to determine the proposal's compliance with RFP requirements. This evaluation will be based on:

- Completeness and quality of proposal (10 pts)
- Consultant's understanding of the services required (15 pts)
- Consultants' experience, qualifications and project team's experience (20 pts)
- Consultant's proposed project approach and methodology (15 pts)
- Cost competitiveness (15 pts)
- Past performances and demonstrated success with similar projects (10 pts)
- Unique of competitive difference which sets the consultant apart from others (15 pts)

Upon completion of this evaluation process, City Staff will offer interviews to consultants who best match the RFP requirements and distinctive individual consultant responses. If warranted, after the evaluation process the city reserves the right to directly recommended a consultant without competitive interviews being scheduled and held.

SELECTION AND AWARD:

The City may negotiate with any consultant in order to obtain a final contract that best meets the need of the city. However, negotiations will not alter the original intent of the project.

Upon completion of the interviews of selected consultants, City staff will present a summary of recommended consultant to the City Manager and then Mayor and City Council along with the recommended proposal details. The Mayor and City Council will review the summary and recommendation. The City Council will determine which, if any, proposal to award the contract, or the City Council can determine that additional information is required from any or all Consultants. The decision to award the contract will be made by a majority vote of the City Council.

PUBLIC AWARD ANNOUCEMENT:

The award of a contract by the City Council will be communicated by a Notice of Award being published on the City of Newton Website: www.newtonnc.gov

ASSIGNABILITY:

The Consultant may not assign this agreement or any of its rights or responsibilities hereunder without prior written consent from the City. Subcontractors may not be changed without prior authorization by the city.

INDEMNIFICATION:

Any work to be performed by the consultant as a result of this RFP shall be performed entirely at the consultant's own risk. The consultant shall indemnify and save harmless the City of Newton, its mayor, city council and staff from any and all liabilities and claims of any and every kind, including attorney fees, to which the city may be subjected on account of loss, destruction or damage to property to or death of any and all persons arising out of or in connection with performance of the project and contract. The provisions of this paragraph shall not be applicable to loss or damage caused by negligent act of omission of City of Newton or its employees.

INSURANCE COVERAGE:

If the consultant is selected for contract award, a Certificate of Insurance must be provided showing coverages, with limits approved by the city, for the following lines: professional liability, commercial general liability, automotive liability, workers compensation and employers liability and cyber liability.

AUDIT:

Upon not less than five (5) days prior notice, the City shall have the right to inspect and audit all records (including, without limitation, financial records) of the Consultant which pertain to the Consultant's fulfillment of this agreement and charge therefore.

DEFAULT AND TERMINATION:

Failure of the Consultant to comply with the provisions of the contract documents shall constitute default thereof. The City shall give the contract written notice of any default; the Consultant shall have fifteen (15) calendar days from the receipt of such written notice to cure the default. Upon failure of refusal of the Consultant to cure any such default, the City shall have the right to terminate this agreement and undertake such legal and other proceedings, in law or equity, and to seek recovery of such damages, as may be allowed by law, including, but not limited to, reasonable attorney fees and costs. Any litigation or other legal proceedings that may result because of said default shall be conducted in the court of competent jurisdiction located and seated in Catawba County, North Carolina.

E-VERIFY:

The consultant shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further if the consultant uses a subcontractor, the consultant shall require the subcontractor to comply with the same requirements.