

REQUEST FOR PROPOSAL OF AN UPDATED ZONING REGULATIONS FOR BOX BUTTE COUNTY, NEBRASKA

The County of Box Butte is pleased to invite you to respond to a Request for Proposals for an Updated Zoning Regulations for Box Butte County, Nebraska. Proposals must be received by no later than 4:00 p.m. on May 13, via mail or in person delivery to the County Clerk's office, located at 515 Box Butte Avenue, Suite 203, Alliance, NE 69301. Proposals will be initially evaluated by the Box Butte County Planning and Zoning Board meeting on May 18, 2026, with action taken by the Box Butte County Board of Commissioners meeting on May 20th, 2026.

SCOPE OF SERVICE

Box Butte County (hereinafter the County) is issuing this Request for Proposal (RFP) for the purpose of selecting a qualified Contractor to provide assistance updating the current zoning regulations after the adoption of the updated 2025 Comprehensive Plan with a limited scope of work to include the floodplain, airport, regulations for multi-family residential dwellings, regulations for the development, maintenance, and removal of renewable commercial energy sources, and updates to the fee structure and potential civil and/or criminal penalties for violations of local zoning regulations. The resulting contract may not be an exclusive contract as the County reserves the right to contract for the same or similar services from other sources now or in the future. The term of the contract will be one year, commencing upon execution of the contract by the County and the Contractor. The Contract may include the option to renew for additional time periods upon mutual agreement of the parties, and the County reserves the right to extend the period of this contract beyond the termination date if needed.

PUBLIC RECORD NOTICE

In furtherance of the State's public records statutes (Neb. Rev. Stat. § 84-712 et seq.), all proposals or responses received regarding this request will be retained by Box Butte County and considered public records.

PROCUREMENT PROCEDURE

GENERAL INFORMATION

This request is designed to solicit proposals from qualified Contractors who will be responsible for providing consulting services related to an update of the County's existing Zoning Regulations ("proposal") at a competitive and reasonable cost.

Proposals shall conform to all instructions, conditions, and requirements included in this request. Proposals may be found non-responsive if they do not conform to this request. Contractors should complete the Technical and Cost Proposal contents and any attached Forms as part of their proposal.

PROCURING OFFICE AND COMMUNICATION WITH COUNTY STAFF AND EVALUATORS

Procurement responsibilities related to this request reside with the Planning and Zoning Board and the Box Butte County Commissioners (hereinafter Commissioners). The points of contact (POC) for the request are as follows:

Name: Michael Johnson
Position: Zoning Administrator
Email: mikejohnson0018@gmail.com
Phone: 1-308-763-8348

Name: Martie Burke
Position: County Clerk
Address: PO Box 678
Alliance, NE 69301
Phone: 1-308-762-6565
Email: clerk@boxbuttecountyne.gov

From the date the request is issued until an Intent to Award is issued, communication from Contractors may only be directed to the POC listed above. After an Intent to Award is issued, Contractor may communicate with any individuals the County has designated. No member of the county government, employee of the County, or member of the Planning and Zoning Board is empowered to make binding statements regarding this request. The POC will issue any answers, clarifications, or amendments regarding this request in writing; however, only the Commissioners can award a contract. Contractors shall not have any communication with or attempt to communicate with or influence any evaluator involved in this request.

The following exceptions to these restrictions are permitted:

1. Contact made pursuant to pre-existing contracts or obligations;
2. Contact required by the schedule of events or an event scheduled later by the request POC; and,
3. Contact required for negotiation and execution of the final contract.

WRITTEN QUESTIONS AND ANSWERS

Questions regarding the meaning or interpretation of any request provision must be submitted in writing to the POC and clearly marked "Zoning Regulations Questions." It is preferred that questions be sent via e-mail to mikejohnson0018@gmail.com and clerk@boxbuttecountyne.gov but they may be delivered by hand or by U.S. Mail.

SECRETARY OF STATE REGISTRATION REQUIREMENTS

All Contractors must be authorized to transact business in the State of Nebraska and comply with all Nebraska Secretary of State registration requirements. The Contractor who is the recipient of an Intent to Award will be required to certify that it has complied and to produce a true and exact copy of its current Certificate or Letter of Good Standing or, in the case of a sole proprietorship, to provide written documentation of sole proprietorship and complete the United States Citizenship Attestation Form provided by the County. This must be accomplished prior to

execution of the contract, but may be provided after the Intent to Award has been received or may be submitted with the proposal.

ETHICS IN PUBLIC CONTRACTING

The County reserves the right to reject proposals, withdraw an intent to award or an award, or terminate a contract if a Contractor commits or has committed ethical violations, which include, but are not limited to:

1. Offering or giving, directly or indirectly, a bribe, fee, commission, compensation, gift, gratuity, or anything of value to any person or entity in an attempt to influence the proposal process;
2. Being considered for, presently being, or becoming debarred, suspended, ineligible, or excluded from contracting with any state or federal entity;
3. Submitting a proposal on behalf of another party or entity; and
4. Colluding with any person or entity to influence the proposal process, submit sham proposals, preclude proposals, fix pricing or costs, create an unfair advantage, subvert the proposal, or prejudice the County.

The Contractor shall include this clause in any subcontract entered into for the exclusive purpose of performing this contract.

SUBMISSION OF PROPOSALS

Contractors must submit one proposal marked "ORIGINAL," and five hard copies, and one digital copy. Contractors are solely responsible for any variance between the copies submitted. Proposal responses should include all completed forms.

The County will not furnish packaging and sealing materials. It is a Contractor's responsibility to ensure the request is sent in a sealed envelope or container and submitted by the date and time indicated in the Schedule of Events. The **outside** of any packaging or container must state the company's name and **CLEARLY STATE** "Zoning Regulations RFP" and the RFP number. Sealed proposals must be received by May 13th, 2025 at 4:00 p.m. No late proposals will be accepted.

The Request for Proposal form must be manually signed in an indelible manner and returned by the proposal opening date and time along with the Contractor's Request for Proposal and any other requirements as stated herein in order for the Contractor's response to be evaluated.

METHOD OF SUBMISSION

Proposals may be delivered in person, via U.S. Mail or private carrier/courier. The County will not accept proposals by fax, voice, email, or telephone.

PROPOSAL CORRECTIONS

A Contractor may correct or withdraw a proposal prior to the time of opening by giving written notice to the County of intent to withdraw the proposal for modification or to withdraw the proposal entirely. Changing a proposal after opening may be permitted if the change is made

to correct a minor error that does not affect price, quantity, quality, delivery, or contractual conditions. In case of a mathematical error in extension of price, unit price shall govern.

LATE PROPOSALS

Proposals received after the time and date of the proposal opening will be considered late proposals. Late proposals will be returned unopened if requested by the Contractor and at Contractor's expense. The County is not responsible for proposals that are late or lost regardless of cause or fault.

PROPOSAL OPENING

The opening of proposals will be public, and the Contractors will be announced. Proposals WILL NOT be available for viewing by those present at the proposal opening. Proposals may be reviewed upon request after the Intent to Award has been mailed.

Information identified as proprietary by the submitting contractor, in accordance with this request and state law, will not be posted. If the County determines submitted information should not be withheld, in accordance with the Public Records Act, or if ordered to release any withheld information, said information may then be released. The submitting Contractor will be notified of the release, and it shall be the obligation of the submitting Contractor to take further action if it believes the information should not be released.

Contractors may contact the County to schedule an appointment for viewing proposals after the Intent to Award has been mailed. Once proposals are opened, they become the property of the County and will not be returned.

INITIAL REVIEW OF PROPOSAL REQUIREMENTS

The proposals will first be examined to determine if all requirements listed below have been addressed and whether further evaluation is appropriate. Proposals not meeting the requirements may be rejected as non-responsive. The requirements are:

1. Original Request for Proposal for Contractual Services form signed using an indelible method;
2. Clarity and responsiveness of the proposal;
3. Completed Corporate Overview;
4. Completed Technical Approach; and
5. Completed Cost Proposal.

EVALUATION OF PROPOSALS

All complete proposals will be evaluated by members of the Planning and Zoning Board, and their recommendations and comments shall be provided to the Commissioners for final evaluation and award.

Any contact, attempted contact, or attempt to influence an evaluator that is involved with this request may result in the rejection of the Contractor's proposal and further administrative actions.

EVALUATION OF PROPOSALS

All complete proposals will be evaluated. The County will conduct a fair, impartial, and comprehensive evaluation of all proposals in accordance with the criteria set forth below. Areas that will be addressed and scored during the evaluation include:

1. Overall proposal quality and its responsiveness to the RFP, including but not limited to:
 - a. completeness, clarity, and conciseness;
 - b. comprehension of the scope of work and meeting the stated purpose and needs of the County;
 - c. uniqueness or innovativeness;
2. Corporate Overview should include but is not limited to:
 - a. the ability, capacity, and skill of the contractor to deliver and implement project that meets the requirements of the request;
 - b. the character, integrity, reputation, judgment, experience, and efficiency of the Contractor;
 - c. whether the Contractor can perform the contract within the specified time frame;
 - d. the quality of performance on prior contracts;
 - e. the ability of the Contractor to identify and assist in procuring outside funding possibilities to further enhance the project while leveraging existing funding;
 - f. the ability of the Contractor to successfully collaborate with County staff and representatives;
 - g. such other information that may be secured and that has a bearing on the decision to award the contract.
3. Technical Proposal; and
4. Cost Proposal.

Proposals will be evaluated and ranked based on the above criteria as determined by the County. The County will afford equal opportunity to all those who submit proposals and will not discriminate in its selection of consultants on the grounds of race, sex, color, physical handicap, or national origin.

REFERENCE AND CREDIT CHECKS

The County reserves the right to conduct and consider reference and credit checks and to use third parties to conduct such checks. By submitting a proposal in response to this request, the Contractor grants to the County the right to contact or arrange a visit in person with any or all of the Contractor's clients. Reference and credit checks may be grounds to reject a proposal, withdraw an intent to award, or rescind the award of a contract.

AWARD

The County reserves the right to evaluate proposals and award contracts in a manner utilizing criteria selected at the County's discretion and in the County's best interest. After evaluation of the proposals, or at any point in the solicitation process, the County may take one or more of the following actions:

1. Amend the request;
2. Extend the time of or establish a new proposal opening time;

3. Waive deviations or errors in the County's request process and in Contractor proposals that are not material, do not compromise the request process or a Contractor's proposal, and do not improve a Contractor's competitive position;
4. Accept or reject any portion of or all of a proposal;
5. Accept or reject all proposals;
6. Withdraw the request;
7. Elect to rebid the request;
8. Award single lines or multiple lines to one or more Contractors; or,
9. Award one or more all-inclusive contracts.

The request does not commit the County to award a contract. Once an intent to award decision has been determined, it will be communicated to the Contractor.

ALTERNATE/EQUIVALENT PROPOSALS

Contractors may offer proposals that are at variance from the express specifications of the request. The County reserves the right to consider and accept such proposals if, in the judgment of the Points of Contact, the proposal will result in goods or services equivalent to or better than those which would be supplied in the original proposal specifications.

PROPOSAL PREPARATION COSTS

The County shall not incur any liability for any costs incurred by Contractors in replying to this request, in participating in the demonstrations or oral presentations, or in any other activity related to bidding on this request.

FAILURE TO COMPLY WITH REQUEST FOR PROPOSAL

Violations of the terms and conditions contained in this request or any resultant contract, at any time before or after the award, shall be grounds for action by the County, which may include, but is not limited to, the following:

1. Rejection of a contractor's proposal;
2. Withdrawal of the Intent to Award;
3. Withdrawal of the Award;
4. Negative Performance Reports;
5. Termination of the resulting contract;
6. Legal action; and,
7. Suspension of the Contractor from further bidding with the County for a period of time relative to the seriousness of the violation, such period to be within the sole discretion of the County.

REJECTION OF PROPOSALS

The County reserves the right to reject any or all proposals, wholly or in part, in the best interests of the County.

PROJECT DESCRIPTION AND SCOPE OF WORK

PROJECT OVERVIEW

This Request for Proposals seeks to establish a relationship with a qualified Contractor to assist updating the current zoning regulations after the adoption of the 2025 Box Butte Comprehensive Plan update with a limited scope of work to include the addition of regulations for the floodplain, airport, multi-family residential dwellings, the development, maintenance, and removal of renewable commercial energy sources, and updates to the fee structure and potential civil and/or criminal penalties for violations of local zoning regulations.

This evaluation and update should maintain the overall character of the zoning regulations and supplement or adjust them as needed, which includes updating language and terminology to be current. The development of zoning regulations for new components of the 2025 updated Comprehensive Plan will include energy and energy generation, particularly commercial, but may also include addressing other focus areas identified in the key planning goals.

The project deliverable anticipate well-organized and user-friendly regulations with supporting graphics, tables, maps, and diagrams as appropriate. The updates should provide better consistency throughout and ensure that terminology is current, with outdated language updated or eliminated for ease of comprehension. The updated regulations should also promote efficient administration and be responsive to market conditions, best practices, and quality outcomes.

PROJECT BUDGET

The project budget has not been established and is negotiable based on the different plans and reports included in the scope of work. Contractors must provide a practical budget for undertaking each portion of the project scope of work. Contractors should keep in mind current economic conditions and be as efficient as possible in this process.

PROJECT REQUIREMENTS

The overall timeline for the development of the Zoning Regulations is approximately nine to twelve months. As part of the proposal response, Contractors must submit a project schedule of anticipated tasks showing key task target dates, including meetings and hearings, and the estimated duration of each task. Variations from the County's intended timeline may be negotiated.

SCOPE OF WORK

The consultant will review the existing zoning regulations, in coordination with Planning and Zoning Board members, County Zoning Administrator, and the County Attorney. This review is essential for gaining a baseline understanding of what inconsistencies exist between the current zoning regulations and Nebraska Law, and other applicable legal requirements. During this review it is also expected that the consultant will work with these parties to understand what aspects of the current zoning and subdivision regulations should be preserved. The consultant is expected to have recommendations following this review for strategies to best accomplish the update and to improve the process.

DELIVERABLES

The Zoning Regulation format shall consist of both digital files (Microsoft Word; Adobe PDF) and hard copies printed in an 8 ½ by 11 (vertically oriented) three ring binder format that lends itself to amendments. The contractor shall deliver the draft and final documents in both hard copy and electronic formats to allow for reproduction and revision.

- Prepare Zoning Regulation drafts for staff, citizens, and Planning and Zoning Board review.
- Produce final copies for approval and adoption by the County Commissioners.
- Provide the County with a reproducible hard and digital copy of the adopted Zoning Regulation. Digital documents and maps shall be easily editable and provided in the following file formats:
 - Zoning Regulation text, diagrams, and graphics must be provided in Adobe PDF.
 - Zoning Regulation text must also be provided in Microsoft Word format.

PROPOSAL INSTRUCTIONS

This section documents the requirements that should be met by Contractors in preparing the Technical and Cost Proposal. Contractors should identify the subdivisions of Project Description and Scope of Work clearly in their proposals; failure to do so may result in disqualification. Failure to respond to a specific requirement may be the basis for elimination from consideration during the County's comparative evaluation.

Proposals must demonstrate that the Contractor has the professional capabilities to accomplish the project and should contain any relevant and helpful information that indicates the Contractor's ability to successfully complete all aspects of the Project Description and Scope of Work. Completed proposals should be no longer than twenty-five (25) pages and are due by the date and time shown in the Schedule of Events. Content requirements for the Technical and Cost Proposal are presented separately in the following subdivisions, format, and order:

A) Technical Proposal Contents

- 1) Corporate Overview: The Corporate Overview section of the Technical Proposal should consist of the following subsections:
 - a) Contractor Identification and Information
 - (i) Full company or corporate name, address of the company's headquarters, entity organization (corporation, partnership, proprietorship), state in which the Contractor is incorporated or otherwise organized to do business, year in which the Contractor first organized to do business and whether the name and form of organization has changed since first organized.
 - (ii) If any change in ownership or control of the contractor is anticipated during the twelve months following the proposal due date, the Contractor should describe the circumstances of such change and indicate when the change will likely occur. Any change of ownership to an awarded Contractor will require notification to the County.

- b) Office Location:
 - (i) The Contractor's office location responsible for performance pursuant to an award of a contract with the County should be identified.
 - c) Relationship with the County:
 - (i) Any dealings of the Contractor or predecessor with the County in the past 10 years
 - (ii) Any employee of the Contractor or predecessor who is currently or was employed with the County in the past ten years, identified by name, job title, and what dates they were employed with the County.
 - d) Summary of the Contractor's Experience
 - (i) The Contractor should provide project summaries for a minimum of three and a maximum of five of the contractor's previous projects similar to this request in size, scope, and complexity. If there are not three previous projects, declare.
 - (ii) These summaries should include a reference for the project, consisting of the name of a contact person, a current telephone number, and e-mail address.
- B) Cost Proposal Contents
- 1) Itemized Cost
 - a) The cost for each subpart of the project should be itemized to allow the County to prioritize and choose subparts based on a cost/benefit analysis and to aid in cost comparisons between potential Contractors.
 - 2) Total Budgeted
 - a) The total budget should reflect the estimated cost for the entire project. If the proposal includes work that will be done by subcontractors, the cost for each subcontractor should be delineated. Indirect costs listed in the budget must be substantiated if the proposal is selected.
Because of budget constraints and appropriations of funds, additional funding is unlikely. Contractors should not anticipate budget expansions unless alternate means of funding are identified and procured.
- C) Signature/Certification
- The proposal must be signed by an official authorized to bind the offer and must contain a statement that the proposal is a firm offer for a ninety (90) day period from the proposal opening date.

The proposal must also provide the following information: name, title, address, and telephone number of the individual with authority to contractually bind the Contractor. This information may be included in the Request for Proposal for Contractual Services Form or in Form A.

REQUEST FOR PROPOSAL FOR CONTRACTUAL SERVICES FORM

CONTRACTOR MUST COMPLETE THE FOLLOWING

Mark any that apply:

<p>_____ RESIDENT BIDDER AFFIDAVIT: Contractor hereby attests that Contractor is a Nebraska Contractor. "Nebraska Contractor" shall mean any bidder who has maintained a bona fide place of business and at least one employee within this state for at least the six (6) months immediately preceding the posting date of this Solicitation.</p>
<p>_____ I hereby certify that I am a Resident disabled veteran or business located in a designated enterprise zone in accordance with Neb. Rev. Stat. § 73-107 and wish to have preference, if applicable, considered in the award of this contract.</p>
<p>_____ I hereby certify that I am a blind person licensed by the Commission for the Blind & Visually Impaired in accordance with Neb. Rev. Stat. §71-8611 and wish to have preference considered in the award of this contract.</p>

By signing this Request for Proposal for Contractual Services form, the Contractor guarantees compliance with the procedures stated in this Solicitation and agrees to the terms and conditions unless otherwise indicated in writing

FORM MUST BE SIGNED USING AN INDELIBLE METHOD (NOT ELECTRONICALLY)

CONTRACTOR:	
COMPLETE ADDRESS:	
TELEPHONE NUMBER:	
FAX NUMBER:	
DATE:	
SIGNATURE:	
TYPED NAME AND TITLE OF SIGNER:	

Form A

**Contractor Proposal
Point of Contact**

Form A should be completed and submitted with each response to this solicitation. This is intended to provide the County with information on the Contractor's name and address, and the specific person who is responsible for preparation of the Contractor's response.

Preparation of Response Contact Information	
Contractor Name:	
Contractor Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number	
Telephone Number	
Fax Number:	

Each Contractor should also designate a specific contact person who will be responsible for responding to the County if any clarifications of the Contractor's response should become necessary. This will also be the person who the County contacts to set up a presentation/demonstration.

Communication with the City Contact Information	
Contractor Name:	
Contractor Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number	
Telephone Number	
Fax Number:	