



Request for Proposals

Appeals Hearing Officer Services

Description of Desired Services. The city of Cottonwood Heights, Utah (the “City”) requests proposals for the services of an appeals hearing officer (the “*Appeals Hearing Officer*”) to serve as the City’s land use appeal authority pursuant to Chapter 19.92 (“*Chapter 19.92*”) of the COTTONWOOD HEIGHTS CODE OF ORDINANCES (the “*City Code*”), other relevant portions of the City’s zoning ordinance codified in the City Code (collectively, the “*Zoning Ordinance*”), and the Municipal Land Use, Development, and Management Act codified in UTAH CODE ANN. 10-9a-101 *et seq.* (“*LUDMA*”). Each proposal submitted in response to this Request for Proposals (this “*RFP*”) must contain all the information solicited in order for the proposer to be considered for appointment.

Background and Scope. The City seeks to retain the services of the Appeals Hearing Officer to perform, on an as needed basis, the duties described Chapter 19.92 (attached for reference) and other relevant portions of the Zoning Ordinance, as authorized by LUDMA. The Appeals Hearing Officer will handle and decide appeals related to land use decisions, applications for variances, applications for the expansion of non-conforming uses and/or buildings, and other relevant appeal-related functions described in the Zoning Ordinance.

The Appeals Hearing Officer is appointed by the City Manager from qualified applicants with advice and consent of the City Council.

Qualifications. Proposers shall provide information regarding their education, background, and experience to demonstrate adequate qualifications to provide the services described in this RFP. Proposers must have significant knowledge of and working experience concerning land use laws and regulations in Utah, municipal ordinances, and administrative appeals hearings. Preference may be given to those with a background of providing legal and/or planning services to municipalities or other local government entities.

Remuneration. The Appeals Hearing Officer is an independent contractor who is paid for services rendered but receives no employee benefits. The proposer shall include their requested compensation and/or a fee schedule in their responsive proposal.

Submittal Requirements. To be considered, a proposer shall timely submit a proposal not exceeding four pages in length which includes (a) a statement of qualifications, (b) a current resume reflecting pertinent work experience and educational attainments, (c) a list of at least three professional references who can attest to the proposer’s character and pertinent abilities, and (d) a proposed compensation and/or a fee schedule to provide the requested services.

To be timely, two copies of the proposal must be submitted no later than 12:00 p.m. on Friday,

October 6, 2023, to:

Cottonwood Heights
Attn: City Recorder
2277 East Bengal Boulevard
Cottonwood Heights, UT 84121

Contract. The successful proposer will be required to enter into a written contract agreement with the City for Appeals Hearing Officer services. The City Attorney, working with the selected proposer, will draft such agreement based on the successful proposal, which will be in compliance with applicable laws and will contain such other terms and conditions as the City reasonably may require. If the selected proposer and the City Attorney are unable to negotiate an acceptable agreement, then another proposer will be selected by the City and negotiation will continue with such other proposer until an acceptable agreement is completed.

Suspension of Process, Etc. The City reserves the right to reject (in whole or in part) any and all responses to this Request; to amend, modify or waive any requirement set forth in this Request; and to accept any proposal deemed to be in the best interest of the City, subject to legal requirements. Any response to this Request is at the proposer's sole risk and expense, and the City shall not be liable for any cost associated with preparation by any party of any proposal responding to this Request. Although the City anticipates selecting one of the proposers, there is no guarantee that any proposer will be selected.

Miscellaneous. This Request and any resulting contract with the selected proposer shall be interpreted, construed, and given effect according to the laws of the State of Utah and all applicable ordinances of the City. No contract with the selected proposer may be assigned by the proposer, in whole or in part, without the City's prior written consent.

Attachments.

- Insurance Requirements for Parties Contracting with the city of Cottonwood Heights
- Chapter 19.92 of the City Code