



**Date:** June 20, 2023

**To:** Wanda S. Page, City Manager  
**Through:** Keith Chadwell, Deputy City Manager  
**From:** Sara M. Young, AICP, City-County Planning Director  
**Subject:** Contract with Code Studio for the Comprehensive Rewrite of the Unified Development Ordinance

### **Executive Summary**

As part of the Fiscal Year (FY) 2024 Planning Department work program, the Planning staff are recommending a comprehensive rewrite of the Unified Development Ordinance (UDO) to implement many of the policies and action items in the new draft Comprehensive Plan. The Department issued a request for proposals in January 2023 and received one response. The department reissued the RFP in April 2023 and received three responses. In February and April, a panel reviewed the responses and conducted interviews with finalists and selected Code Studio as the preferred vendor for the UDO rewrite project.

### **Motion**

To authorize the City Manager to execute a contract with Code Studio in an amount of \$418,075, with an additional amount of \$50,000 of pass-through funds for community engagement stipends for a total contract amount not to exceed \$468,075.

### **Background**

The new Durham Comprehensive Plan, under development since 2019, is anticipated for adoption in September 2023. In order to implement the community's land use vision as articulated in the draft plan, major revisions are required to the City-County Unified Development Ordinance (UDO) that was adopted by the City Council and the Board of County Commissioners in 2005. Due to the size and complexity of the task to comprehensive rewrite the UDO, Planning staff are recommending hiring and outside contractor for the project. A FY 2022 budget carry-over of \$750,000 was approved by the City Council for the purpose of the UDO rewrite.

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### **Issues and Analysis**

Code Studio has 17 years of experience developing plans and zoning codes throughout the United States, including developing a new UDO for the City of Raleigh. In addition, two of its principals were part of the firm that developed Durham's current UDO. The Department received two other proposals from White & Smith and Inspire Placemaking Collective. After review of the proposals and consultant interviews, Code Studio was the clear choice of the selection committee.

As with the Comprehensive Plan, the Planning Department is committed to fully following the Equitable Engagement Blueprint. The Department has issued a separate RFP to select a contractor to conduct and manage community engagement.

**Alternatives**

City Council could deny the approval of the contract with Code Studio for the rewrite of the UDO. This alternative would delay the development of a new UDO.

**Financial Impact**

City Council approved a FY 2022 budget carryover request of \$750,000 for the purpose of hiring a consultant to rewrite the UDO. These carryover funds in 0J000000-725000 are sufficient to cover the cost of this contract.

**Equal Business Opportunity Summary**

The Underutilized Business Compliance Division reviewed the specifications submitted for the above-referenced effort to determine appropriate UBE participation goals.

**MUBE Participation Goal:**

Based on the specifications outlined for this project, the MUBE participation goal should be 0%.

**WUBE Participation Goal:**

Based on the specifications outlined for this project, the WUBE participation goal should be 0%.

**Contractor Workforce Diversity & Hiring Practices**

According to the contractor’s responses to the “Workforce Hiring Questionnaire,” the contractor is a “small employer” (Fewer than 50 employees) and that the firm “has limited diversity in our workforce but our continuing to improve through the newest members of our firm.” The contractor did list many of the examples it takes to have a more diverse workforce. The firm only has one location.

The project teams includes four subcontractors: Neighboring Concepts, Neighborhood Workshop, Hylton-Daniel Design and Construction, and Four Over One Preservation and Design. The subcontractors include one unregistered MUBE and one unregistered WUBE. This is in addition to the workforce statistics in the table below.

				Males					Females				
Employment Category	Total Employees	Total Males	Total Females	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manager													
Professional	12	5	7	5					5		2		
Labor													
Clerical													
Totals	12	5	7	5					5		2		

**Attachments**

- a. Attachment A: Contract
- b. Attachment B: Scope of Work
- c. Attachment C: Time-Product-Payment Schedule