

REQUEST FOR PROPOSALS
ORDINANCES FOR GOVERNMENTS IN SOUTH DAKOTA

Introduction

The South Dakota State Historical Society, State Historic Preservation Office (SHPO), is soliciting proposals for the development of historic preservation ordinances for certified local governments (CLGs) in South Dakota.

Project Scope and Specifications

The program includes review of current ordinances and production of new or amended ordinances for each local government. Project will include at least three site visits to each community. The local governments include Rapid City and Lead, South Dakota. A model ordinance should be prepared based upon the local government's ordinances.

Project Direction

The consultant will confer with the staff of the SHPO, city/county officials, local historic preservation commissions, and other interested parties. The consultant will be required to provide monthly reports and informational updates to the SHPO staff and the local preservation commissions.

Qualifications

Personnel responsible for preparing the documents must demonstrate their knowledge in preservation law and preservation. Preference will be given to a preservation attorney, who has experience in preparing preservation ordinances.

Products

Products will include individual ordinances for each local government tailored for their needs and one model ordinance.

Time Frame

The proposal should include a timeline for the work including dates for drafts and the final products. All products must be submitted by May 31, 2007.

Tentative Payment Schedule

Payments will be made in four installments: 20% upon completion of initial site visit to each CLG, 20% upon submission of ordinances or amendments, 30% for consideration and consultation to support ordinances, and the final 30% payment will be paid upon approval of a model ordinance.

Brief Overview of the Proposed Preservation Ordinance for Rapid City

The State Historic Preservation Office (SHPO) has federal funds available to distribute to certified Historic Preservation Commissions (HPC) (also referred to as certified local governments) in order to draft local historic preservation ordinances. The authority to do so is granted in SDCL1-19B

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=1-19B>; this also outlines the items that can be addressed under an ordinance.

The Rapid City HPC approached that SHPO last year about funding for a local ordinance. The commission was concerned about the ineptness of SDCL1-19A-11.1, the statute that governs the treatment of properties listed on the State and National Registers of Historic Places. The SHPO indicated to the HPC that the only way to address the inconsistencies in SDCL-19A was through local ordinance. The HPC was interested and the SHPO allocated \$20,000 to pursue the drafting of an ordinance.

The \$20,000 is SHPO funds; the SHPO would contract directly with a preservation attorney to draft an ordinance. The commission and the city would work with the attorney to tailor an ordinance that would work for Rapid City. The city would decide what they do and do not want in the ordinance and as per SDCL 1-19B (the link previous) any ordinance would have to be enacted by the municipality for it to be valid.

In the contract with the attorney, the SHPO would be paying him to meet with the commission, city, and citizens to see what they would and would not like in a preservation ordinance. The attorney would make suggestions as to what has worked and what hasn't worked in other communities. With comments, an ordinance would then be drafted.