



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Agenda

LIFT

Thursday, May 10, 2018

6:30 PM

Community Room

Regular Meeting

1. Call Meeting to Order

2. Roll Call

3. Minutes to be Approved

- a) [ID# 18-164](#) Certification of the April 12 LIFT Regular Meeting Minutes

Attachments: [LIFT April 12 2018 DRAFT Minutes](#)

4. Public Comment

5. Financial Report

- a) [ID# 18-161](#) April 2018 Financials

Attachments: [LIFT - April 2018 Financial Report](#)

6. Committee Reports

- a) [ID# 18-162](#) Committee Report - LIFT Website

- b) [ID# 18-165](#) Committee Report - LIFT Attorney

Attachments: [LIFT - Committee Report - Hiring an attorney](#)
[RFP - Attorney](#)

7. Unfinished Business

8. New Business

9. Public Comment

10. Adjourn

The public is invited to attend all regular meetings or study sessions of the City Council or any City Board or Commission. Please call 303-795-3780 at least forty-eight (48) hours prior to the meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in any such meeting. For any additional information concerning City meetings, please call the above referenced number.



Staff Communication

File #: ID# 18-164, **Version:** 1

Agenda Date: 05/10/2018

Subject:

Certification of the April 12 LIFT Regular Meeting Minutes

Presented By: Carol Brzeczek, Recording Secretary

I hereby certify that the attached minutes are an accurate representation of motions made and action taken at the April 12, 2018, regular meeting of the LIFT Board.

PROPOSED MOTION:

I move to approve, based on the recording secretary's certification, the April 12, 2018 minutes for the regular meeting of the LIFT Board

Roll Call: Meeting was called to order at 6:30. Members Kevin Seiler, Carol Brzeczek, Joseph Orrino, Jack Rychecky, Cindy Christensen, Nicholas Millar, and Jason Henderson were present. Pat Driscoll, council liaison, was absent. Tiffany Hooten and Steve Kemp were also present.

Agenda Approval

ID# 18-130 - Certification of the March 8, 2018 LIFT Regular Meeting Minutes - Motion was made by Henderson and seconded by Christensen to approve the minutes. Motion passed on a 7/0 vote.

Public Comment

Jeanie Erickson from District 1 was excited about the demolition of Columbine Square Shopping Center and the fact that the homeless were no longer occupying the abandoned center. She attended all three meetings on the Belleview Corridor and spoke with her neighbors about Columbine Square and they are concerned about what will be developed in the old Columbine Square area – they would prefer retail or offices - what it is already zoned for. They believe they have enough apartments in the area already. Her neighbors, even though not in attendance, watch LIFT meetings from home and they do care about the future of Columbine Square.

Financial Report

ID# 18-132 – LIFT Financials as of 2/28/2018

Hooten provided a financial update. A deposit of \$73,896.00 was made in March to the LIFT account. The remaining property tax amount to be refunded is \$152,338.

Orrino moved and Henderson seconded to approve the finance report as submitted. Motion passed 7/0.

Committee Reports

Website Subcommittee Report

Seiler reported that the website subcommittee was unable to meet. Those interested in working on the website will try to meet prior to the next LIFT meeting. (Millar, Christensen, Seiler and Brzeczek make up the subcommittee.)

Legal Subcommittee Report

Orrino and Henderson reported on their work for a process to be used for an attorney search. They recommend that LIFT proceed with the search for an attorney to use on an as needed basis. Their report is attached. (Attachment A) It was decided the sooner the search begins the better. The subcommittee will continue with the RFP process and consult with Kemp before submitting a report to

the full board. Rychecky thought it would be wise to concentrate on firms with eminent domain experience. He believes that whatever is done in the urban renewal area will require an election. He has looked into various urban renewal authorities and they go to district court to ensure financial confidentiality. He asked if the city attorney would be the attorney that would help LIFT through that process or not. He asked how we would make the decision to have the attorney present at our meetings.

Kemp said we should look for someone with experience in local government. He also said there may never be a project – a developer does not have to use urban renewal to redevelop. LIFT may need specialized counsel if a project did come about. Seiler said Kemp was committed to LIFT up to the point there's a conflict of interest.

Henderson thought the decision should rest with the chair about whether or not the attorney would attend our meetings. Henderson moved to adopt the legal subcommittee's report and direct the legal subcommittee to draft an RFP with an eye towards hiring an outside attorney. Henderson seconded the motion. Brzeczek moved to amend the motion to have the RFP draft available at the May meeting. Jack Rychecky seconded. The amendment passed 7/0 and the main motion passed 7/0.

Unfinished Business

ID# 18-131 Property Tax Refund Discussion – Tiffany Hooten reported on the property tax abatement that requires a refund to the property owner. She recommended that LIFT refund all but \$25,000 of the \$152,388 of the North Broadway increment in case future abatements are required. This would require the 2018 budget to be amended. Brzeczek moved to authorize \$25,000 of the North Broadway increment to be set aside for future abatements and for Hooten to bring back an amended budget for the May LIFT meeting. Rychecky seconded. Motion passed 7/0.

New Business – None

Public Comment

Linda Knufinke reminded LIFT that the voters voted to prohibit the use of eminent domain except with the consent of the property owner on March 3, 2015.

Adjourn

Brzeczek moved to adjourn the meeting. Henderson seconded and motion passed 7/0.

Attachment 1

MEMO

To: LIFT Board of Directors

From: Ad Hoc Committee on Obtaining Counsel for LIFT

Date: April 10, 2018

Re: Recommendation to hire an attorney

Recommendation

The committee recommends that the LIFT Board hire an attorney to provide services and counsel on an as-needed basis.

Authority

Article II §7 of the Bylaws of Littleton Invests for Tomorrow Urban Renewal Authority states that the Authority may appoint an attorney.

Scope of Services

The committee recommends that an attorney be hired for a limited scope of services that can grow if and when the need arises, such as when a project is presented to the LIFT Board. In the immediate future, an attorney would not be required to attend the LIFT Board meetings, but only to be accessible should questions or controversies arise.

Fees

Because of the limited scope of services, the committee recommends avoiding a relationship requiring a substantial retainer fee until the scope of services expands. Procuring services on an hourly fee basis would allow the LIFT Board to have full control over fees incurred and would prevent the LIFT Board from paying for services that it did not need or desire.

Timing

The committee recommends beginning the process of hiring an attorney for the LIFT Board as soon as practicable. The LIFT Board cannot necessarily predict when the need for counsel will arise, and the RFP/selection process will take time. If a need for counsel arises in the future and the hiring process is yet to begin, the LIFT Board could be delayed in its work or without sufficient counsel when it needs it.

Meeting Attendance

At this time, the committee does not make a recommendation regarding whether an attorney should attend all LIFT Board meetings. This question could be evaluated after an attorney is hired based on what the needs and meeting subject matter are at that time.

DRAFT



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Staff Communication

File #: ID# 18-161, **Version:** 1

Agenda Date: 05/10/2018

Subject:
April 2018 Financials

Presented By: Tiffany Hooten, Finance Director



Littleton Invests for Tomorrow

**Financial Reports
As of April 30, 2018**

May 10, 2018

Littleton Invests For Tomorrow
All Funds
Revenues and Expenditures for the Period January 1, 2016 - April 30, 2018

	General Fund	Columbine Capital Projects Fund	Littleton Blvd Capital Projects Fund	North Broadway Capital Projects Fund	Santa Fe Capital Projects Fund	Total All Funds
Revenues						
Retainer Agreements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Property Tax Revenues (incl Pen/Int)	(16)	180	24,643	572,416	3,091	600,314
Sales Tax Increment Revenues	-	144,154	112,039	22,959	-	279,152
Investment Earnings	6,147	-	-	-	-	6,147
Miscellaneous	-	-	-	-	-	-
Total Revenues	\$ 6,131	\$ 144,334	\$ 136,682	\$ 595,375	\$ 3,091	\$ 885,613
Expenditures						
Dues and Memberships	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Business Meetings	-	-	-	-	-	-
Audit Charges	900	-	-	-	-	900
Professional & Consulting	8,380	-	-	-	-	8,380
Legal Services - General	6,298	-	-	-	-	6,298
Legal Services - Capital Projects	-	-	-	-	-	-
County Collection Fee	-	3	370	8,606	46	9,025
Other Charges	1,836	-	-	-	-	1,836
Refunds to taxing entities	-	-	24,273	412,781	3,045	440,099
Services - Capital Projects General	-	-	-	-	-	-
Total Expenditures	\$ 17,414	\$ 3	\$ 24,643	\$ 421,387	\$ 3,091	\$ 466,537
Other Financing Sources (Uses)						
Transfers In	\$ 205,256	\$ -	\$ -	-	-	\$ 205,256
Transfers Out	-	(144,154)	(112,039)	(22,959)	-	(279,152)
Total Other Financing Uses	\$ 205,256	\$ (144,154)	\$ (112,039)	\$ (22,959)	\$ -	\$ (73,896)
Excess (Deficiency) of Revenues over Expenditures	\$ 193,972	\$ 177	\$ -	\$ 151,029	\$ -	\$ 345,179

**Littleton Invests For Tomorrow
All Funds
Statement of Revenues, Expenditures and
Changes in Fund Balance
As of April 30, 2018**

	General Fund	Columbine Capital Projects Fund	Littleton Blvd Capital Projects Fund	North Broadway Capital Projects Fund	Santa Fe Capital Projects Fund	Total All Funds
Revenues						
Retainer Agreements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Administrative Fees	-	-	-	-	-	-
Property Tax Revenues (incl Pen/Int)	-	24	-	-	-	24
Sales Tax Increment Revenues	-	73,896	-	-	-	73,896
Investment Earnings	1,634	-	-	-	-	1,634
Miscellaneous	-	-	-	-	-	-
Total Revenues	\$ 1,634	\$ 73,920	\$ -	\$ -	\$ -	\$ 75,554
Expenditures						
Dues and Memberships	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Business Meetings	-	-	-	-	-	-
Audit Charges	-	-	-	-	-	-
Professional & Consulting	-	-	-	-	-	-
Legal Services - General	-	-	-	-	-	-
Legal Services - Capital Projects	-	-	-	-	-	-
County Collection Fee	15	-	-	-	-	15
Refunds to taxing entities	-	-	-	-	-	-
Other Charges	-	-	-	-	-	-
Services - Capital Projects General	-	-	-	-	-	-
Total Expenditures	\$ 15	\$ -	\$ -	\$ -	\$ -	\$ 15
Excess (Deficiency) of Revenues over Expenditures	\$ 1,619	\$ 73,920	\$ -	\$ -	\$ -	\$ 75,539
Fund Balance, Beginning	\$ 239,066	\$ 154	\$ -	\$ 152,338	\$ -	\$ 391,558
Fund Balance, Ending	\$ 240,685	\$ 74,074	\$ -	\$ 152,338	\$ -	\$ 467,097

**Littleton Invests for Tomorrow
General Fund
Statement of Revenues, Expenditures and
Changes in Fund Balance - Budget and Actual
As of April 30, 2018**

	2017 Actual	2018 Adopted Budget	2018 Amended Budget	2018 Year to Date Actual	Variance
Revenues					
Retainer Agreements	\$ -	\$ -	\$ -	\$ -	-
Sales Tax Increment - Columbine	70,258	60,000	60,000	-	(60,000)
Sales Tax Increment - Littleton Blvd	112,039	-	-	-	-
Sales Tax Increment - North Broadway	22,959	-	-	-	-
Sales Tax Increment - Santa Fe	-	-	-	-	-
Investment Earnings	4,008	500	500	1,634	1,134
Miscellaneous	-	-	-	-	-
Total Revenues	209,264	60,500	60,500	1,634	(58,866)
Expenditures					
Dues and Memberships	\$ -	\$ -	\$ -	\$ -	-
Business Meetings	-	-	-	-	-
Audit Charges	-	2,000	2,000	-	(2,000)
Professional & Consulting	40	14,400	14,400	-	(14,400)
Legal Services - General	3,276	4,500	4,500	-	(4,500)
Legal Services - Capital Projects	-	-	-	-	-
Other Charges	415	7,400	7,400	15	(7,385)
Services - Capital Projects General	-	-	-	-	-
Total Expenditures	3,731	28,300	28,300	15	(28,285)
Other Financing Sources (Uses)					
Loan Proceeds	-	-	-	-	-
Loan Payments	-	-	-	-	-
Transfers In	-	-	-	-	-
Transfers Out	-	-	-	-	-
Total Other Financing Uses	-	-	-	-	-
Excess (Deficiency) of Financial Sources over Financial Uses	205,533	32,200	32,200	1,619	
Fund Balance, Beginning	\$ 33,533	\$ 232,417	\$ 232,417	\$ 239,066	
Fund Balance, Ending	\$ 239,066	\$ 264,617	\$ 264,617	\$ 240,685	

**Littleton Invests for Tomorrow
Capital Projects Fund - Columbine
Statement of Revenues, Expenditures and
Changes in Fund Balance - Budget and Actual
As of April 30, 2018**

	2017 Actual	2018 Adopted Budget	2018 Amended Budget	2018 Year to Date Actual	Variance
Revenues					
Property Taxes	\$ 156	\$ 172	\$ 172	\$ 24	\$ (148)
Sales Tax Increment	50,758	60,000	60,000	73,896	13,896
Retainer Agreements	-	-	-	-	-
Developer Fees	-	-	-	-	-
Miscellaneous	-	-	-	-	-
Total Revenues	50,914	60,172	60,172	73,920	13,748
Expenditures					
County Collection Fee	\$ 2	\$ 3	\$ 3	\$ -	\$ 3
Refund to Taxing Entity - Arapahoe County	-	-	-	-	-
Refund to Taxing Entity - Littleton Public Schools	-	-	-	-	-
Refund to Taxing Entity - City of Littleton	-	-	-	-	-
Refund to Taxing Entity - South Suburban	-	-	-	-	-
Refund to Taxing Entity - Urban Drainage & Flood	-	-	-	-	-
Refund to Taxing Entity - Urban Drainage (S. Platte)	-	-	-	-	-
Total Expenditures	2	3	3	-	3
Other Financing Sources (Uses)					
Transfers In	-	-	-	-	-
Transfers Out	(70,258)	(60,000)	(60,000)	-	60,000
Total Other Financing Sources	(70,258)	(60,000)	(60,000)	-	60,000
Excess (Deficiency) of Financial Sources over Financial Uses	(19,346)	169	169	73,920	
Fund Balance, Beginning	\$ 19,500	\$ 154	\$ 154	\$ 154	
Fund Balance, Ending	\$ 154	\$ 323	\$ 323	\$ 74,074	

Littleton Invests for Tomorrow
Capital Projects Fund - Littleton Boulevard
Statement of Revenues, Expenditures and
Changes in Fund Balance - Budget and Actual
As of April 30, 2018

	2017 Actual	2018 Adopted Budget	2018 Amended Budget	2018 Year to Date Actual	Variance
Revenues					
Property Taxes	\$ 3	\$ -	\$ -	\$ -	-
Sales Tax Increment	-	-	-	-	-
Retainer Agreements	-	-	-	-	-
Developer Fees	-	-	-	-	-
Miscellaneous	-	-	-	-	-
Total Revenues	3	-	-	-	-
Expenditures					
County Collection Fee	\$ -	\$ -	\$ -	\$ -	-
Refund to Taxing Entity - Arapahoe County	4,283	-	-	-	-
Refund to Taxing Entity - Littleton Public Schools	15,400	-	-	-	-
Refund to Taxing Entity - City of Littleton	1,920	-	-	-	-
Refund to Taxing Entity - South Suburban	2,494	-	-	-	-
Refund to Taxing Entity - Urban Drainage & Flood	159	-	-	-	-
Refund to Taxing Entity - Urban Drainage (S. Platte)	17	-	-	-	-
Total Expenditures	24,273	-	-	-	-
Other Financing Sources (Uses)					
Transfers In	-	-	-	-	-
Transfers Out	(112,039)	-	-	-	-
Total Other Financing Sources	(112,039)	-	-	-	-
Excess (Deficiency) of Financial Sources over Financial Uses	(136,309)	-	-	-	-
Fund Balance, Beginning	\$ 136,309	\$ -	\$ -	\$ -	-
Fund Balance, Ending	\$ -	\$ -	\$ -	\$ -	-

Littleton Invests for Tomorrow
Capital Projects Fund - North Broadway
Statement of Revenues, Expenditures and
Changes in Fund Balance - Budget and Actual
As of April 30, 2018

	2017 Actual	2018 Adopted Budget	2018 Amended Budget	2018 Year to Date Actual	Variance
Revenues					
Property Taxes	\$ 335,513	\$ -	\$ -	\$ -	-
Sales Tax Increment	-	-	-	-	-
Retainer Agreements	-	-	-	-	-
Developer Fees	-	-	-	-	-
Miscellaneous	-	-	-	-	-
Total Revenues	335,513	-	-	-	-
Expenditures					
County Collection Fee	\$ 5,034	\$ -	\$ -	\$ -	-
Refund to Taxing Entity - Arapahoe County	73,256	-	-	-	-
Refund to Taxing Entity - Littleton Public Schools	261,384	-	-	-	-
Refund to Taxing Entity - City of Littleton	32,691	-	-	-	-
Refund to Taxing Entity - South Suburban	42,435	-	-	-	-
Refund to Taxing Entity - Urban Drainage & Flood	2,725	-	-	-	-
Refund to Taxing Entity - Urban Drainage (S. Platte)	290	-	-	-	-
Total Expenditures	417,815	-	-	-	-
Other Financing Sources (Uses)					
Transfers In	-	-	-	-	-
Transfers Out	(22,959)	-	-	-	-
Total Other Financing Sources	(22,959)	-	-	-	-
Excess (Deficiency) of Financial Sources over Financial Uses	(105,261)	-	-	-	-
Fund Balance, Beginning	\$ 257,599	\$ 232,290	\$ 232,290	\$ 152,338	
Fund Balance, Ending	\$ 152,338	\$ 232,290	\$ 232,290	\$ 152,338	

**Littleton Invests for Tomorrow
Capital Projects Fund - Santa Fe
Statement of Revenues, Expenditures and
Changes in Fund Balance - Budget and Actual
As of April 30, 2018**

	2017 Actual	2018 Adopted Budget	2018 Amended Budget	2018 Year to Date Actual	Variance
Revenues					
Property Taxes	\$ -	\$ -	\$ -	\$ -	-
Sales Tax Increment	-		-	-	-
Retainer Agreements	-		-	-	-
Developer Fees	-		-	-	-
Miscellaneous	-		-	-	-
Total Revenues	-	-	-	-	-
Expenditures					
County Collection Fee	\$ -	\$ -	\$ -	\$ -	-
Refund to Taxing Entity - Arapahoe County	537		-	-	-
Refund to Taxing Entity - Littleton Public Schools	1,932		-	-	-
Refund to Taxing Entity - City of Littleton	241		-	-	-
Refund to Taxing Entity - South Suburban	312		-	-	-
Refund to Taxing Entity - Urban Drainage & Flood	20		-	-	-
Refund to Taxing Entity - Urban Drainage (S. Platte)	2		-	-	-
Total Expenditures	3,044	-	-	-	-
Other Financing Sources (Uses)					
Transfers In	\$ -	\$ -	\$ -	\$ -	-
Transfers Out	-		-	-	-
Total Other Financing Sources	-	-	-	-	-
Excess (Deficiency) of Financial Sources over Financial Uses	(3,044)		-	-	-
Fund Balance, Beginning	\$ 3,044	\$ -	\$ -	\$ -	
Fund Balance, Ending	\$ -	\$ -	\$ -	\$ -	

Littleton Invests For Tomorrow
Bank Register
As of April 30, 2018

	Operating	ColoTrust	Total
Bank Balances at 12/31/2016	\$ 33,010.40	\$ 376,516.05	\$ 409,526.45
2017 Transactions			
2017 Property Tax Deposits	-	330,637.77	330,637.77
2017 Transfer of Funds	440,099.21	(440,099.21)	-
2017 Sales Tax Increment Deposits	-	91,216.00	91,216.00
2017 Interest Earnings	-	4,008.21	4,008.21
2017 Payments	(443,830.55)	-	(443,830.55)
2018 Transactions			
2018 Interest Earnings	-	1,633.69	1,633.69
2018 Property Tax Deposits	-	23.69	23.69
2018 Sales Tax Increment Deposits	73,896.00	-	73,896.00
2018 Payments	(15.00)	-	(15.00)
Bank Balances at 4/30/2018	<u>\$ 103,160.06</u>	<u>\$ 363,936.20</u>	<u>\$ 467,096.26</u>

Ck No.	Date	Vendor	Description	Ck Amount	Line Item
2409	1/26/17	Hoffmann Parker, Wilson, Carberry	Legal Services	462.50	Legal Services - General
-	6/8/17	Bank fee for Audit Confirmation	Prof/Cons	40.00	Professional/Consulting
2411	6/12/2017	Hoffmann Parker, Wilson, Carberry	Legal Services	666.00	Legal Services - General
2412	6/12/2017	Hoffmann Parker, Wilson, Carberry	Legal Services	999.00	Legal Services - General
2413	7/31/2017	Hoffmann Parker, Wilson, Carberry	Legal Services	1,073.00	Legal Services - General
Wire	9/14/2017	Arapahoe County	Refunds	78,075.85	Refund to Taxing Entity
Wire	9/14/2017	City of Littleton	Refunds	34,852.04	Refund to Taxing Entity
Wire	9/14/2017	South Suburban	Refunds	45,241.38	Refund to Taxing Entity
Wire	9/14/2017	Littleton Public Schools	Refunds	278,716.35	Refund to Taxing Entity
Wire	9/14/2017	Urban Drainage	Refunds	3,213.59	Refund to Taxing Entity
-	9/13/2017	Bank fee for wire transfer from ColoTrust	Bank Fee	15.00	Other
-	9/14/2017	Bank Fee for Wire for Tax Refund	Bank Fee	30.00	Other
-	9/14/2017	Bank Fee for Wire for Tax Refund	Bank Fee	30.00	Other
-	9/14/2017	Bank Fee for Wire for Tax Refund	Bank Fee	30.00	Other
-	9/14/2017	Bank Fee for Wire for Tax Refund	Bank Fee	30.00	Other
-	9/14/2017	Bank Fee for Wire for Tax Refund	Bank Fee	30.00	Other
-	9/14/2017	Bank Fee for Wire for Tax Refund	Bank Fee	30.00	Other
2414	10/23/2017	Carol Brzeczek	DCI Reimb.	150.00	Other
2145	10/30/2017	Karina Elrod	DCI Reimb.	70.00	Other
2146	11/21/2017	Hoffmann Parker, Wilson, Carberry	Legal Services	75.84	Legal Services - General
-	3/19/2018	Bank Fee for wire transfer	Bank Fee	15.00	Other
				<u>\$ 443,845.55</u>	



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Staff Communication

File #: ID# 18-162, **Version:** 1

Agenda Date: 05/10/2018

Subject:
Committee Report - LIFT Website



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Staff Communication

File #: ID# 18-165, **Version:** 1

Agenda Date: 05/10/2018

Subject:
Committee Report - LIFT Attorney

MEMO

To: LIFT Board of Directors

From: Ad Hoc Committee on Obtaining Counsel for LIFT

Date: April 10, 2018

Re: Recommendation to hire an attorney

Recommendation

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REQUEST FOR PROPOSAL COVER SHEET

Date: xxxxx, 2018
Solicitation Number: RFP-xxxx-2018
Solicitation title: xxxxxxxx
Proposal will be received until: xxxxxxxxAug 15, 2018.
Location of services provided: Littleton Center, 2255 West Berry Avenue, Littleton, CO 80120
For additional information, please contact: xxxxxJoseph Orrino & Jason Henderson
Email Address: jorrino@littletongov.org;jhenderson@littletongov.orgxxxxx@littletongov.org

Documents included in this package: Cover Sheet, General Terms and Conditions, Special Terms and Conditions, Specification and Scope of Work, Pricing Form, Submission Form

The undersigned hereby affirms that (1) he/she is a duly authorized agent of the vendor, (2) he/she has read all terms and conditions and technical specifications which were made available in conjunction with this solicitation and fully understands and accepts them unless specific variations have been expressly listed in his/her offer, (3) the offer is being submitted on behalf of the vendor in accordance with any terms and conditions set forth in this document, and (4) the vendor will accept any awards made to it as a result of the offer submitted herein for a minimum of ninety (90) calendar days following the date of submission.

PRINT OR TYPE YOUR INFORMATION

Name of Company: Fax:
Address: City/State: Zip:
Contact Person: Title: Phone:
Authorized Representative's Signature: Phone:
Printed Name: Title: Date:
Email Address:



REQUEST FOR PROPOSAL

PURPOSE: The City of Littleton is requesting proposals to ~~xxx~~to contract for legal services to be provided to Littleton Invests For Tomorrow (LIFT), the Littleton Urban Renewal Authority.

FREQUENTLY USED TERMS: "Offers" or "Responses" include but are not limited, to all bids, proposals, qualifications and quotations made to City of Littleton, hereinafter referred to as "City" or "Buyer", by all prospective suppliers, herein after referred to as "Vendors". "Project Manager" means the representative of the City issuing the Request.

SCHEDULE OF ACTIVITIES: The following activities and dates are just a tentative outline of the process to be used to solicit vendor responses and to evaluate each vendor proposal.

xxxx <u>June 15, 2018</u>	Issue Request for Proposal
xxxx <u>, 2018 at 11:00 a.m.</u>	<u>Pre-Bid Conference</u>
xxxx <u>July 15, 2018 at 11:00 a.m.</u>	Deadline for submitting questions
xxxx <u>August 1, 2018 at 11:00 a.m.</u>	Proposal submittal deadline/Bid Opening
xxxx <u>September 1, 2018</u>	Award contract

TERM OF CONTRACT: This contract shall commence on ~~xxx~~September 15, 2018 and shall remain in effect through ~~xxx~~September 15, 2014~~20~~. The selected Vendor will enter into an agreement with the City as an independent contractor, and not as an employment contract.

Comment [HJ1]: Should these references to the City be changed to LIFT?

TYPE OF CONTRACT: (optional to include this section) All services will be on the cost reimbursement basis (hourly rate for individuals likely to provide services and maximum hours fixed). The awarded contract will provide a proposal for fee structure for the professional range of services and have a "not-to-exceed" clause, which will limit the allowable fees, charged in connection with these services through the completion of scope. Hourly rates shall be included in the Letter of Interest.

RESPONSE TO QUESTIONS: Questions regarding issues around this Solicitation, purchasing and/or award should be directed, in writing, via e-mail, to Joseph Orrino at jorrino@littletongov.org and xxxxxx Jason Henderson at xxxjhenderson@littletongov.org. These and any additional questions submitted during the Pre-submittal Conference will be made available as an amendment or addenda on the Rocky Mountain E-Purchasing System website.

Any official interpretation of this Solicitation must be made by an agent of the City's ~~xxx~~DepartmentUrban Renewal Authority who is authorized to act on behalf of the City. The City shall not be responsible for interpretations offered by employees of the City who are not agents of the City's Urban Renewal Authority~~xxx~~Department.

ADDENDA: Vendor is responsible for obtaining and acknowledging all subsequent addenda via the Rocky Mountain E-Purchasing System (Bidnet) website. Failure to submit any and all the subsequent addendum may deem the vendor non-responsive.

NOTE: A sample Agreement for Professional Services is attached with additional General Terms and Conditions.

1. GENERAL TERMS AND CONDITIONS

- A. Due to the service level required in conjunction with this Solicitation, preference will be given to local vendors.
- B. Vendors shall make all investigations necessary to thoroughly inform themselves regarding the plant and facilities affected by the delivery of materials and equipment as required by the conditions of the Solicitation. No plea of ignorance by the Vendor of conditions that exist or that may hereafter exist as a result of failure to fulfill the requirements of the contract documents will be accepted as the basis for varying the requirements of the City or the compensation to the Vendor. The accuracy of the Offer is the sole responsibility of the Vendor.
- C. Any ambiguity, conflict discrepancy omissions or other error discovered in the solicitation must be reported immediately in writing to the City and a request be made for modifications or clarifications. Any such change will be posted as an amendment or addenda on the Rocky Mountain E-Purchasing System website.
- D. In the event that the Vendor defaults on its contract or the contract is terminated for cause due to performance, the City reserves the right to re-procure the materials or services from the next lowest Vendor or from other sources during the remaining term of the terminated/defaulted contract. Under this arrangement, the City may charge the Vendor any difference between the Vendor's price and the price to be paid to the next lowest Vendor, as well as any costs associated with the re-solicitation effort.

2. PRICES CONTAINED IN OFFER-DISCOUNTS, TAXES, COLLUSION

- A. Vendors may offer a cash discount for prompt payment. Vendors are encouraged to provide their prompt payment terms in the space provided on the Solicitation's Pricing Form. If no prompt payment discount is being offered, the Vendor shall enter a zero (0) for the percentage discount to indicate net thirty days. If the Vendor does not enter a percentage discount, it is hereby understood and agreed that the payment terms shall be net thirty days, effective on the date that the City receives an accurate invoice or accepts the products, whichever is the later date. Payment is deemed to be made on the date of the mailing of the check, posted transaction date on a purchasing card, or verified transmittal of an Electronic Funds Transfer, EFT. Invoices are to be submitted only after services are rendered.
- B. In the event the City discovers, through its contract monitoring process or formal audit process, that material was priced incorrectly, Vendor(s) agree to promptly refund all overpayments and to pay all reasonable audit expenses incurred as a result of the non-compliance.
- C. Vendors shall not include federal, state, or local excise or sales taxes in prices offered, as the City is exempt from payment of such taxes.

Federal Identification Number 84-6000688
State of Colorado Tax Exempt Number 98-03575

- D. The City must be contacted prior to any change of scope in work to be performed after the original contract has been signed when such changes are expected to result in an increase of cost in excess of quoted fees prior to commencement of the work. An agreed change of scope in the work to be performed shall be documented as a written change order, be accepted by all parties, and made a part of the original contract by addendum.
- E. The prices or discounts quoted in this Solicitation shall prevail for term of the contract, at which time the City shall have the option to renew the contract for subsequent one year periods, provided, however, that the Vendor will maintain the same prices or discounts that were awarded during the initial contract. Continuation of the contract beyond the initial period is a City prerogative and not a right of the Vendor. This prerogative will be exercised only when such continuation is clearly in the best interest of the City.

F. The Vendor, by affixing its signature to this Solicitation, certifies that its Offer is made without previous understanding, agreement, or connection either with any persons, firms or corporations making an Offer for the same items, or with the City. The Vendor also certifies that its Offer is in all respects fair, without outside control, collusion, fraud, or otherwise illegal action. To insure integrity of the City's public procurement process, all Vendors are hereby placed on notice that any and all Vendors who falsify the certifications required in conjunction with this section may be prosecuted to the fullest extent of the law.

3. PREPARATION: The Offer must be typed or legibly printed in ink. Offers must contain a manual signature of an authorized agent of the Vendor in the space provided on the Solicitation cover page. **Failure to sign and return the original cover by an authorized agent page of the Solicitation may deem the offer non-responsive.** The City will not be liable in any way for the costs incurred by the vendors in the preparation of the proposals or costs associated with oral presentations, as required.

4. SUBMISSION: An **ORIGINAL, ~~XXX-SIX (6)~~(#) copies (and the proposal downloaded on a flash drive)** must be received by Kris Powell in the Finance Department before the deadline as specified in this solicitation. The Offer should be sealed in an envelope with the vendor's name and address clearly marked on the envelope addressed as indicated on the Submission Page. Failure to submit the required number of copies may deem the vendor non-responsive. **No electronic submissions will be accepted.**

5. MODIFICATIONS TO OFFERS: Offers may only be modified in the form of a written notice on company letterhead and must be received prior to the time and date set for the Offers to be opened. If more than one modification is submitted, the modification bearing the latest date of receipt by the City's Finance Department will be considered the valid modification. No changes in the Offer may be allowed after the date and time that the Offers are due.

6. WITHDRAWAL OF OFFERS: Offers may be withdrawn prior to the time and date set for the opening. Such requests should be made in writing on company letterhead. Any proposal may be withdrawn up until the date and time provided below for examining the proposals. Any proposal not withdrawn by that deadline shall constitute an irrevocable offer to sell to the City the services described in the attached specifications, either for a period of one hundred and twenty (120) days, or until one of the proposals has been approved by the City administration, whichever occurs first.

7. REJECTION OF OFFERS: The City may, at its sole and absolute discretion, reject Offers or deem a Vendor non-responsive based on the following:

- A. Reject any and all, or parts of any or all, Offers submitted by prospective Vendors if not in the best interests of the City;
- B. Waive any irregularities in the Offers received in conjunction with this Solicitation;
- C. The Vendor misstates or conceals any material fact in its Offer;
- D. The Offer expressly requires or implies a conditional award or submit alternate terms and conditions which conflict with the City's terms and conditions;
- E. The Offer does not include documents which are required for submission with the Offer; and/or
- F. A conflict of interest is determined.

8. LATE OFFERS: Offers received after the date and time set for the opening shall be considered non-responsive and be retained by the City unopened.

9. DEVIATION FROM THE SCOPE OF SERVICES/SPECIFICATIONS: Any proposed deviation from the Scope of Work **MUST** be noted in detail, and submitted in writing with the Proposal. Complete specifications shall be attached for any substitutions proposed, or when amplifications are desirable or necessary. Failure to submit documentation with changes, if applicable, may be grounds for rejection and does not excuse proposing firm from being strictly accountable to the Scope of Work as

written. If specifications or descriptive papers are submitted with Proposals, the proposing firm's name shall be clearly shown on each document.

10. COLORADO OPEN RECORDS ACT: Any information submitted with the Proposal shall become public information, subject to release, under the Colorado Open Records Act. Littleton shall be held harmless from any claims arising from the release of information within the Proposal. It is the responsibility of the proposing firm to ensure that no confidential or proprietary information is included in the Proposal that the proposing firm would not wish to be released.

11. AWARD OF SOLICITATION: The City may award the solicitation to the successful Vendor through the issuance of a Notice of Intent to Award via The Rocky Mountain E-Purchasing System and/or phone or email contact of winning bidder. Only the names of the vendors will be read aloud at the opening of proposals.

EVALUATION CRITERIA: For this Solicitation, the evaluation committee will score responses based on the following criteria. Statements of Qualifications will be examined closely by the following evaluation criteria to determine that they meet the standards necessary for this assignment, as determined by the City. The City will be the sole judge as to which individual and/or firm (if any) is selected to provide the services. It is the City's intent to consider the individual and/or firm deemed to be the most highly qualified to provide the services required. Selection will be based upon the review of the Statements of Qualifications according to the Evaluation Criteria. The City may select at least three or more individuals and/or firms for short list interviews based upon the number of proposals received regarding this assignment.

- A. Preference will be given to local vendors.
- B. Overall qualifications, experience, and performance of the firm and/or the assigned individual(s).
- C. References from other cities and examples of similar work.

12. SELECTION: The best-qualified respondent shall be based upon the City's ability to differentiate qualifications applicable to the scope and nature of the services to be performed. The determination shall be based only on the selection criteria contained within this RFP. City of Littleton reserves the right to reject any and/or all responses to this request.

13. The proposing firm's fee structure is to be based only on the goods and services to be provided.

If it is in the best interest of the City, the Evaluation Committee may invite a limited number of Vendors to provide an oral presentation after the written Responses have been scored. The City reserves the right to conduct negotiations with Vendors and to accept revisions of proposals before award. During this negotiation period, the City will not disclose any information derived from proposals submitted, or from discussions with other Vendors. Once an award is made, the solicitation file and the proposals contained therein are in the public record.

14. APPEAL OF AWARD: Solicitations are awarded based on several conditions, price being just one of the elements. Vendors may appeal the Notice of Intent to Award decision by submitting, **in writing**, to the City's Finance Director, a request for reconsideration within 72 hours after the Notice of Intent to Award is disclosed via The Rocky Mountain E-Purchasing System, provided that the appeal is sought by the Vendor prior to the City finalizing a contract with the selected Vendor. Vendors who were deemed non-responsive are ineligible to participate in the appeal of award process. **ANY VENDOR DEEMED NON-RESPONSIVE WILL NOT HAVE THE RIGHT TO APPEAL AWARD DECISION(S).**

15. NON-APPROPRIATION: Pursuant to C.R.S. § 29-1-110, as amended, the financial obligations of the City as set forth herein after the current fiscal year are contingent upon funds for the purpose being appropriated, budgeted and otherwise available. This Agreement is automatically terminated on January 1st of the first fiscal year for which funds are not appropriated. The City shall give the Contractor written notice of such non-appropriation.



REQUEST FOR PROPOSAL

1. SPECIAL TERMS AND CONDITIONS

- A. **QUALIFICATIONS AND COMPETENCY OF VENDORS:** The City reserves the right, before awarding the contract, to require a Vendor to submit such evidence of its financial, technical or other qualifications and ability to perform work as necessary, and may consider any evidence available to it in making the award in the best interests of the City. Such information includes but not limited to: current/maximum bonding capabilities, current licensing information, audited financial statements, history of the firm on assessments of liquidated damages, contracts cancelled prior to completion and/or lawsuits and/or pending lawsuits against the firm and/or its principals. The Vendor shall furnish all information and data for this purpose as the City requests. The City reserves the right to reject any bid if the evidence submitted by, or investigation of, such Vendor fails to satisfy the City that such Vendor is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.
- B. **OPERATIONAL FACILITIES REQUIRED:** Pre-award inspection of the Vendor's facility may be made prior to award of contract. The Vendors must be able to produce evidence that they have an established satisfactory record of performance for a reasonable period of time and have sufficient financial support, equipment and organization to ensure that they can satisfactorily execute the services if awarded a contract. The term 'equipment and organization' as used means a fully equipped and well established company in line with the best business practices in the industry and as determined by the proper authorities of the City.
- C. **SUB-CONTRACTORS OF WORK SHALL BE IDENTIFIED:** As part of its Response, the Vendor shall be required to identify any and all sub-contractors that will be used in the performance of the contract resulting from this Solicitation. The Vendor shall also identify the capabilities, experience and portion of the work to be performed by the sub-contractor(s). The competency of the sub-contractor(s) with respect to skill, responsibility and business standing shall be considered by the City when making the award in the best interest of the City.
- D. All businesses to be registered and in good standing with the Colorado Secretary of State prior to contract being signed.
- E. All vendors must provide the email address, name and title for the person authorized to execute all contract documents and the successful vendor/bidder/applicant must agree and be able to execute contract documents electronically, if the City so requests.

REQUEST FOR PROPOSAL

1) SPECIFICATION AND SCOPE OF WORK

a. BACKGROUND: The City of Littleton is seeking proposals from qualified firms to ~~xxxx~~provide legal services on an as-needed basis to the LITTLETON INVESTS FOR TOMORROW (LIFT) BOARD.

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b. Currently, the LIFT Board employs the services of the Littleton City Attorney in instances and questions that neither present a conflict of interest with the city nor overly tax the resources of the City Attorney's Office.

c. The contracted attorney contemplated by this RFP will be hired for a limited scope of services generally involving answering questions and advising the Board according to applicable urban renewal and other laws and regulations when so assigned.

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d. Scope of services may, at the sole discretion of the LIFT Board, grow if and when the need arises, such as when a new project is presented to the LIFT Board.

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~~a-e.~~ In the immediate future, an attorney would NOT be required to attend the LIFT Board meetings, but only to be accessible should questions or controversies arise.

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b-f. MANDATORY REQUIREMENTS:

Failure to provide required information may deem your submittal non-responsive.

a) The attorney must demonstrate familiarity with laws and controversies that are likely to present themselves to the LIFT Board, including:

a. Municipal law including Urban Renewal and eminent domain law

b. Familiarity with the liabilities and requirements borne by the LIFT Board

b) The attorney must offer its services on an as-needed hourly basis. A retainer is not contemplated at this time.

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e-g. DESIRED QUALIFICATIONS:

Local vendors will be given preference.

e-h. SCOPE OF WORK:

a) ~~xxxx~~Attend LIFT Meetings when requested by the LIFT Board Chair (Regular Meetings are currently held monthly on the second Thursday of each month at 6:30pm, though other meetings may be scheduled)

b) Answer questions from and offer advice to the LIFT Board when requested

c) Provide answers and advice in memo form for distribution to the LIFT Board

d) Provide answers and advice in person at requested meetings

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SCHEDULE:

A limited time allotted for work to be complete will require a significant dedication of resources to keep this project on track. We anticipate awarding a contract by ~~xxx~~September 1, 2018 and work to begin with City staff as necessary.

2) CONTENT OF PROPOSAL:

Proposals should be prepared simply and economically providing a straightforward, concise description of the vendor's ability to perform the requirements of this RFP to include the following content,

Statement of Qualifications. The Statement of Qualifications shall provide the following information in order to be considered responsive.

- A. Introduction Letter and *signed* Cover Sheet
- B. Letter of Interest. Submit a letter of interest signed by the individual or the authorized representative of the firm named therein. This letter of interest should briefly summarize relevant qualifications and experience. Please include a proposal as to how you or your firm would accomplish the work as well as the cost for the service. The signature on this letter shall be interpreted to signify the officer's intent to comply with all the terms, conditions and specifications as set forth in this solicitation, unless otherwise specifically noted.
- C. Prior experience. Identify specifically what experience is represented. Provide a list of at least three client references for the type of services being requested. This requirement may be satisfied by the submission of a resume with references.
- D. Key Personnel. Please identify the key individual(s) who will be assigned to provide said services. Provide an organization chart of the firm. Give a brief resume of each key staff member and identify what responsibility each person will have.
- E. Any additional information relevant to this Solicitation or needed by the City.
- F. Qualifications of Sub-Contractors, as required. See "Sub-Contractors of Work Shall Be Identified" in the Special Terms and Conditions for more information.
- G. All vendors must provide the email address, name and title for the person authorized to execute all contract documents and the successful vendor/bidder/applicant must agree and be able to execute contract documents electronically, if the City so requests.

3) RESPONSE FORMAT:

Failure to respond in the required format may deem your submittal non-responsive.

- a. Label cover of Original submittal.
- b. Table of Contents – Include a clear identification of the material by section and by page number i.e. Mandatory Requirements section, etc.
- c. Submit proposal in a tab format with sections listed in order specified in “Content of Proposal”.
- d. **xxx** .

4) FAILURE TO PROVIDE ANY REQUESTED INFORMATION: Failure to provide any requested information may result in the rejection of your offer.

5) IMPLIED REQUIREMENTS: N/A

**REQUEST FOR PROPOSAL
PRICING FORM (Page 1 of 1)**

Offeror shall submit pricing in the format shown below, based on the terms and conditions set forth in this proposal.

Offeror's price. Offer shall serve as the basis for compensation terms of the resulting contract. Failure to submit pricing as shown in this section may render Offeror's entire offer nonresponsive and ineligible for award.

	*Cost: Process	*Cost: Materials
XXX		
XXX		
XXX		

*Cost must match the proposal described under section 3d.

EXPENSES: Additional expenses (including travel time and expense) are to be included in the bid proposal. Grand total of proposal to include all expenses.

DISCOUNT: The City of Littleton may receive a ____% discount for payment within ____ days of receipt of correct invoice.

RFP-~~xxxx~~Littleton LIFT Attorney-2018
REQUEST FOR PROPOSAL
SUBMISSION FORM

SUBMISSION FORM

SUBMISSION: It is imperative, that you address the envelope as follows:

City of Littleton
Finance Department
2255 West Berry Avenue
Littleton, CO 80120

Attn: Kris Powell
RFP-~~xxxx~~-2018

Comment [HJ2]: Should be LIFT Board?

Does your offer comply with all the terms and conditions? (YES / NO)
If no, indicate where exceptions can be found in proposal.

Does your offer meet or exceed all specifications? (YES / NO)
If no, indicate where exceptions can be found in proposal.

HAVE ALL ADDENDUMS BEEN ACKNOWLEDGED? (YES / NO)

ORIGINAL AND NUMBER OF COPIES REQUESTED ENCLOSED? (YES / NO)

HAS A DULY AUTHORIZED AGENT OF THE VENDOR SIGNED THE COVER SHEET? (YES / NO)

HAS A W-9 FORM BEEN INCLUDED WITH PROPOSAL? (YES / NO)

DO YOU AGREE TO EXECUTE CONTRACT DOCUMENTS ELECTRONICALLY IF THE CITY SO REQUESTS? (YES / NO)

Person authorized to execute contract documents:

Printed Name: _____ Title: _____

Email Address: _____ Date: _____