



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Agenda Urban Renewal Authority

Tuesday, August 9, 2022

6:30 PM

Board Room

Public Comment Link: <https://bit.ly/0809BOT>

I. Call Meeting to Order

6:30 p.m.

II. Roll Call

III. Approval of the Agenda

IV. Consent Agenda

6:30-6:35 p.m.

[22-298](#)

Approval of the May 10, 2022, Urban Renewal Authority Meeting Minutes

Attachments:

[May 10, 2022 URA Meeting Minutes](#)

V. Public Comment

6:35-6:45 p.m.

VI. General Business

[22-256](#)

A Resolution of the Board of Commissioners of the Town of Erie Urban Renewal Authority Approving Amendments to the Revitalization Incentive Grant Program

Attachments:

[Resolution 22-08](#)

[Amendment to the Revitalization Incentive Grant Program](#)

[Amendment to the Revitalization Incentive Grant Program REDLINE](#)

[Staff Presentation](#)

6:45-7:05 p.m.

Presenter(s): Leisha Talley, Sustainable Economic Development Fellow
Lucas Workman, Economic Development Manager

[22-288](#)

A Resolution of the Board of Commissioners of the Town of Erie Urban Renewal Authority Approving the Payment of Funds to the Town of Erie for the Preparation of the Erie Gateway Planned Development from the Proposed I-25 Erie Gateway Urban Renewal Plan Area

Attachments: [TGP Agreement](#)
 [Erie Gateway RFP](#)
 [Resolution 22-07](#)

7:05-7:20 p.m.

Presenter(s): *Julian Jacquin, Economic Development Director*
 Sarah Nurmela, Planning and Development Director
 Neal Payton, Torti Gallas + Partners, Inc.

[22-293](#)

A Resolution of the Board of Commissioners of the Town of Erie Urban Renewal Authority Adopting a Purchasing Policy

Attachments: [Resolution 22-09](#)
 [TOEURA Purchasing Policy](#)

7:20-7:25 p.m.

Presenter(s): *Julian Jacquin, Economic Development Director*
 Kendra Carberry, Town Attorney

VII. Adjournment

7:25 p.m.



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Urban Renewal Authority

Board Meeting Date: 8/9/2022

File #: 22-298, **Version:** 1

Subject:

Approval of the May 10, 2022, Urban Renewal Authority Meeting Minutes

Department: Town Clerk's Office

Presenter(s): Debbie Stamp, Town Clerk

Board Priority(s) Addressed: *(Note: Delete all priorities that do not apply and this note.)*

✓ Effective Governance

Attachment(s):

1. May 10, 2022, URA Meeting Minutes



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes

Urban Renewal Authority

Tuesday, May 10, 2022

6:30 PM

Board Room

I. Call Meeting to Order

Vice Chair Loflin called the meeting to order at 6:30 p.m.

II. Roll Call

Present 8 - Sarah Loflin, Emily Baer, Brandon Bell, Ari Harrison, Andrew Sawusch, Christiaan van Woudenberg, Owin Orr, and Lori Saine
Absent 2 - Justin Brooks, and Meosha Brooks

III. Approval of the Agenda

Commissioner Bell made a motion to approve the Agenda. Commissioner Harrison seconded the motion. The motion passed by the following vote at 6:34 p.m.

Aye: 8 - Vice Chair Loflin
Commissioner Baer
Commissioner Bell
Commissioner Harrison
Commissioner Sawusch
Commissioner van Woudenberg
Commissioner Orr
Chairperson Saine

Absent: 2 - Chairperson Brooks
Commissioner Brooks

IV. Consent Agenda

[22-184](#)

Approval of the March 22, 2022 Urban Renewal Authority Meeting Minutes

Attachments: [03-22-2022 URA Minutes](#)

Trustee Harrison made a motion to approve the Consent Agenda. Commissioner Bell seconded the motion. The motion passed by the following vote at 6:36 p.m.

Aye: 8 - Vice Chair Loflin
Commissioner Baer
Commissioner Bell
Commissioner Harrison
Commissioner Sawusch
Commissioner van Woudenberg
Commissioner Orr
Chairperson Saine

Absent: 2 - Chairperson Brooks
Commissioner Brooks

V. Public Comment

Vice Chair Loflin read the Public Comment rules and opened Public Comment at 6:36 p.m.

With no speakers, Public Comment closed at 6:37 p.m.

VI. General Business

22-63

A Resolution of the Town of Erie Urban Renewal Authority Approving an Intergovernmental Agreement with the City of Lafayette and the Town of Erie for Revenue Sharing

Attachments: [Resolution 22-01](#)
[Intergovernmental Agreement](#)
[Staff Presentation](#)
[2019 Global Settlement IGA](#)

Julian Jaquin, Economic Development Director, presented the item at 6:38 p.m.

Commissioner Bell made a motion to approve the resolution. Commissioner Harrison seconded the motion. The motion passed by the following vote at 7:06 p.m.

Aye: 8 - Vice Chair Loflin
Commissioner Baer
Commissioner Bell
Commissioner Harrison
Commissioner Sawusch
Commissioner van Woudenberg
Commissioner Orr
Chairperson Saine

Absent: 2 - Chairperson Brooks
Commissioner Brooks

22-177

A Resolution of the Board of Commissioners of the Town of Erie Urban Renewal Authority Approving the Payment of Funds to the Town of Erie for the Downtown Infrastructure Improvement Projects in the Old Town Erie Urban Renewal Plan Area

Attachments: [Resolution 22-05](#)
[RockSol Agreement](#)
[Staff Presentation](#)
[Scope of Services](#)
[Erie Request for Proposal \(RFP\)](#)
[RockSol RFP submittal](#)
[RockSol Fee Propoal](#)

Lucas Workman, Economic Development Manager, presented the item at 7:07 p.m.

Matt Wessell, RockSol Consulting Group, presented the project at 7:14 p.m.

Commissioner Bell made a motion to approve the resolution. Commissioner Sawusch seconded the motion. The motion passed by the following vote at 7:53 p.m.

Aye: 8 - Vice Chair Loflin
Commissioner Baer
Commissioner Bell
Commissioner Harrison
Commissioner Sawusch
Commissioner van Woudenberg
Commissioner Orr
Chairperson Saine

Absent: 2 - Chairperson Brooks
Commissioner Brooks

22-191

PUBLIC HEARING: A Resolution of the Board of Commissioners of the Town of Erie Urban Renewal Authority Providing for the Supplemental Appropriation of Money for the 2022 Budget Year

Attachments: [Resolution 22-06 and Schedule A](#)
[URA - 2022 1st Supplemental Budget Overview Memorandum](#)
[2022 1st Supplemental Budget Schedules - URA.pdf](#)

Vice Chair Loflin opened the Public Hearing at 7:54 p.m.

Candice Huot, Finance Manager, presented the item at 7:54 p.m.

With no speakers, the Public Hearing closed at 8:00 p.m.

Commissioner Sawusch made a motion to approve the resolution. Commissioner Bell seconded the motion. The motion passed by the following vote at 8:05 p.m.

Aye: 8 - Vice Chair Loflin
Commissioner Baer
Commissioner Bell
Commissioner Harrison
Commissioner Sawusch
Commissioner van Woudenberg
Commissioner Orr
Chairperson Saine

Absent: 2 - Chairperson Brooks
Commissioner Brooks

VII. Adjournment

Vice Chair Loflin adjourned the meeting at 8:06 p.m.

Approved _____
Chair Brooks

Attest _____
Town Clerk



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Urban Renewal Authority

Board Meeting Date: 8/9/2022

File #: 22-256, **Version:** 1

Subject:

A Resolution of the Board of Commissioners of the Town of Erie Urban Renewal Authority Approving Amendments to the Revitalization Incentive Grant Program

Department: Economic Development

Presenter(s): Leisha Talley, Sustainable Economic Development Fellow
Lucas Workman, Economic Development Manager

Time Estimate: 20 minutes

Fiscal Summary: N/A

Staff Recommendation:

To review the information and approve the resolution.

Summary and Background of Subject Matter:

On November 12, 2013, the Town of Erie Urban Renewal Authority (TOEURA) Board of Commissioners established the Historic Old Town Erie Urban Renewal Plan Area to reduce, eliminate and prevent the spread of blight within the Plan Area by stimulating growth and making investments within its boundaries.

On June 23, 2020, TOEURA adopted the TOEURA Incentive Policy, utilizing tax increment financing ("TIF") funds generated in the Historic Old Town Erie Urban Renewal Plan Area to reduce blight in this area. In accordance with the Policy, TOEURA adopted the Revitalization Incentive Grant Program (RIGP) on October 27, 2020. The RIGP program is broken into two categories: (1) Historic Building Improvements; and (2) Business Siting & Expansion. Through this program, TOEURA provides grants designed to provide business siting and expansion assistance and help business and property owners who want to improve the external appearance of their commercial properties. To date, TOEURA has completed three rounds of RIGP grant funding, issuing \$200,000 in assistance to 7 businesses in Old Town Erie.

At its meeting on March 22, 2022, TOEURA requested that the Economic Development Department consider an amendment to the RIGP, to incorporate and emphasize sustainability efforts when reviewing applications for consideration. Sustainability is a top priority for the Town, as identified in the 2022 Town of Erie Work Plan and Priorities Document, and by Town residents in the 2021

Community survey.

In November 2019, the Town adopted its first Sustainability Master Plan, setting a target goal to double the number of businesses participating in the Erie Green Business Program (EGBP) by 2025. This Sustainability Master Plan strategized supporting the enhancement of the EGBP program by recognizing that specific initiatives may include developing a rating system to show which businesses are taking the greatest action on this front and providing resources and information to businesses to reduce their environmental impact through waste reduction, energy and water conservation, and transportation initiatives.

This proposed RIGP amendment incentivizes those businesses and helps the Town to accomplish this goal.

Fiscal Impact: N/A

Board Priority(s) Addressed:

- ✓ Engaged and Diverse Community
- ✓ Prosperous Economy
- ✓ Small Town Feel
- ✓ Effective Governance
- ✓ Environmentally Sustainable
- ✓ Fiscally Responsible

Attachment(s):

1. Resolution 22-08
2. Amendment to the Revitalization Incentive Grant Program
3. Amendment to the Revitalization Incentive Grant Program_REDLINE
4. Staff Presentation

**Town of Erie Urban Renewal Authority
Resolution No. 22-08**

**A Resolution of the Board of Commissioners of the Town of Erie
Urban Renewal Authority Approving Amendments to the
Revitalization Incentive Grant Program**

Whereas, assessing net gains realized from attracting new and growing existing businesses requires evaluations of the additional strain placed on the Town of Erie's utility infrastructure such as energy, water, waste, transportation, and greenhouse gas emissions;

Whereas, the Revitalization Incentive Grant Program serves the public benefit when it ensures business says optimize operational and efficiency and use of natural resources and town infrastructure services;

Whereas, successful achievement of the goals set forth in the Historic Old Town Erie Urban Renewal Plan requires baseline measurements and persistent improvement;

Whereas, the Erie Green Business Program provides baseline measurements for energy, water, waste, purchasing, and transportation impacts, as well as offering efficiency recommendations and providing methods for achieving measurable year over year resource use reductions; and

Whereas, financial support and resources to offset the expense of efficiency improvements will reduce the financial burden on businesses in the Historic Old Town Erie Urban Renewal Plan area.

Now Therefore be it Resolved by the Board of Commissioners of the Town of Erie Urban Renewal Authority that:

Section 1. The Town of Erie Revitalization Incentive Grant Program, as amended in the attached form, is hereby adopted.

Adopted this 9th day of August, 2022.

Justin Brooks, Chair

Attest:

Debbie Stamp, Town Clerk

**Town of Erie Revitalization Incentive Grant Program
Historic Building Improvements Grant
and
Business Siting and Expansion Grant**

The Town of Erie Urban Renewal Authority ("TOEURA") has adopted the TOEURA Incentive Policy (the "Policy"). The purpose of the Policy is to utilize tax increment financing ("TIF") funds received by TOEURA to promote the goals of TOEURA in reducing blight within the urban renewal areas in the Town of Erie (the "Town"). TOEURA recognizes the importance and value of leveraging TIF funds and providing public financing and assistance to achieve these goals.

In accordance with the Policy, TOEURA has launched the Revitalization Incentive Grant Program. This program is broken into two categories: (1) Historic Building Improvements; and (2) Business Siting & Expansion. This program is designed to provide business siting and expansion assistance, and help business and property owners who want to improve the external appearance of their commercial properties. This is a matching grant program that leverages TOEURA funds and private sector investment to achieve specific outcomes which include without limitation the following:

Historic Building Improvements Program

Matching Grants

TOEURA will provide a 1/1 matching grant for the cost of eligible façade improvements. The matching grant shall not exceed \$10,000.

The following improvements are eligible:

- Restoration of brickwork, wood, masonry, and stucco with "timeless" materials
- Replacement, repair, or addition of architectural details (e.g. cornices, bulkheads, transoms, etc.)
- Gutters, downspouts, rain barrels, and rain gardens
- Roof repairs
- Energy efficient windows and doors
- Signage, if integrated with comprehensive façade improvements
- Entryway modifications including provisions to improve accessibility in accordance with the Americans with Disabilities Act (the "ADA")
- Repair, replacement, or reconstruction of stairs, stoops and porches
- Awnings to include rain gardens or other additional stormwater mitigation measures
- Energy efficient lighting
- Removal of non-historic features
- Siding repair/replacement
- Window/display areas

- Security improvements for window/display areas
- Sidewalks, curbs, driveways, and water and sewer utilities that are exposed/impacted during renovation activities
- Structural support elements of the façade, including the repair or replacement of interior structural support elements related to the façade
- Addition of bike racks or electric-vehicle parking stations
- Addition of triple bin waste stations (compost, recycling, landfill) including appropriate liners and signage, and hauling services
- Increasing infiltrative surface allowing for groundwater re-supply

The following improvements are not eligible for the Historic Building Improvement program:

- Any improvements not visible from a public right-of-way or publicly-owned space
- Non-permanent fixtures (e.g. portable outdoor dining tables, chairs, flower planters)
- Any interior improvements not related to the repair or maintenance of structural support elements of the façade
- Business operation-related costs, including elimination or reducing debt, business inventory, display fixtures or sweat equity
- Minor maintenance and repairs
- Signage, unless integrated with comprehensive façade improvements
- Billboards
- New construction
- Property acquisition
- Working capital
- Refinancing of existing debt
- Loans for speculative purposes
- Expansion of building area

Eligibility

The Historic Building Improvement program seeks to encourage improvements in the appearance of historical buildings within an approved urban renewal plan area. The program provides grants for property improvements that support investment by the applicant in a historic building. The purpose of the program is to reduce conditions that cause blight, preserve the unique character of historic buildings by providing greater leverage for private investment and historic preservation monies, and encourage façade improvements that are consistent with the standards for non-historic structures by the providing matching grants to businesses and building owners. The funds for this program are provided by TIF funds. All improvements must comply with all applicable codes, rules and regulations, as well as the priorities, strategies, actions items, and targets in the Town's Sustainability Master Plan, Water Efficiency Plan, and Waste Diversion Policies.

The applicant for the Historic Building Improvement program must be the property owner or the business owner, and if the applicant is the business owner, the business owner must have the approval of the property owner to improve the building. Only properties located within an

approved urban renewal plan area are eligible for the program. The building may be used both a residence and a business, but the grant can only be applied to uses that have a commercial component. If a residential use is included, it cannot be the sole use of the building.

Business Siting and Expansion Program

The goal of the Business Siting and Expansion grant program is to reduce area vacancies and blight by facilitating the siting and expansion of businesses in eligible properties in urban renewal plan areas, increase opportunities for employment, increase opportunities for business and maintain current active business.

Incentive Program

TOEURA will provide an incentive equal to 20% of the total project redevelopment cost, up to 50% of the cost of eligible improvements. Through this program, a business may request contribution from TOEURA through the use of TIF funds towards the business' lease payments, tenant improvements or utility bills for a certain period.

Eligibility

To qualify, the building to be improved must be located in the Historic Old Town Erie urban renewal plan area. For rent payment assistance, application must be made jointly by the property owner (landlord) and include information from the business (tenant). The property owner is responsible for pre-qualification of the business including without limitation financial qualifications, and a business plan. The business must have been in business for a minimum of one year, must have, or obtain, a valid Town business license prior to final funding approval, and must be in good standing with the Town. A business may have no more than 10 full-time equivalent employees and may not have received any previous financial support from TOEURA. Grants are available to owner or tenant (if tenant applies, a minimum of three years must be remaining on lease, and written landowner permission must be provided).

The business must be expanding in size and not merely changing locations. Only for-profit businesses are eligible for assistance. No business that is owned wholly or in part by a past or present elected official or appointed official, or any present employee of the Town, including relatives of such officials and employees, may participate in the program.

Application Process

Grant applications are reviewed competitively when the specified application period closes. Application periods are determined at the sole discretion of the TOEURA Board. Application periods including the due date will be published on the TOEURA website. Applicants must apply by the published date when applications close to be considered within the application period. All applications will be reviewed by a committee designated by TOEURA's Executive Director.

TOEURA has a finite amount of funds, so applicants may not receive full funding for their projects. Funding will be considered and distributed based on the availability of funds, number of applicants, and the ability of applicants to meet the scoring criteria. Grant Applications that score higher will be given priority for available funds.

Extra credit points may be considered for your grant application by registering for, and receiving, certification through the Erie Green Business Program. The Erie Green Business Program provides a system for businesses to evaluate their environmental impact based on metrics assessing use of energy, water, transportation, waste and purchasing. Points are assigned and businesses are categorized into gold, silver, and bronze awards. Based on this scoring, applicants will be awarded extra credit towards their overall score. Apply for the Erie Green Business Program at the following link: <https://app.greenbiztracker.org/business/index>.

Formal feedback will not be provided by the TOEURA Board or any committee of the Board. However, applicants may seek informal feedback from TOEURA staff about the relative competitiveness of an application following consideration of the applications for that period. TOEURA will, consistent with applicable law, limit access to any information in an application that is confidential or proprietary. TOEURA retains the sole and exclusive discretion to evaluate the applications and to deny or make an award based on its evaluation of the applications. All decisions of the TOEURA Board are final.

Applications will become the property of TOEURA. While TOEURA will take reasonable steps to protect proprietary or confidential information in an application, TOEURA makes no guarantees or assurances that all information made a part of the application will remain confidential. Names of participants and any grant documents are subject to disclosure pursuant to applicable law.

Applications must be complete in order to be considered for review.

Guidelines

1. Grant preference will be given to site improvements that provide the most significant visual improvement over current conditions as seen from public streets and trails. Downtown business preference will be given to site improvements adhering to the 2016 Downtown Redevelopment Framework and Concepts.
2. Applicants must be in good standing with the Colorado Secretary of State and the Town of Erie. Properties with outstanding code violations, delinquent sales taxes or past due Town utility bills are not eligible to apply.
3. Proposed improvements must meet applicable Town codes. Businesses must provide before and after photos of project.
4. The applicant is responsible for obtaining all building and other required permits before any project work commences.
5. Project must be eligible improvements outlined above.
6. The Project must comply with all Town waste diversion policies adopted by the Town.

7. Energy efficient fixtures, appliances and materials must be used to the greatest extent possible.
8. Two monthly progress payments for out-of-pocket costs can be requested with the appropriate Reimbursement Form and Paid Receipts submitted for up to 50% of the scheduled out-of-pocket costs. Final payment of the remaining 50% of out-of-pocket costs will be processed upon verification and inspection of qualifying improvements.
9. All businesses must receive grant approval prior to beginning construction. Costs for work prior to awarding of funds cannot be reimbursed.
10. Projects selected for grant funding may be featured in Town promotional materials.

Application Scoring Criteria

The TOEURA committee will score the application based on the following: capital investment; ratio of applicant project investment vs. TOEURA's match; percentage of the project that is new improvements vs. maintenance of existing improvements; and the overall public benefit of the project. Points are awarded for each category. This information is provided so that each applicant can better understand the scoring process - the applicant does not need to score their application.

1. Historic Building Improvements Category (maximum of 50 points)

Capital Investment (maximum of 20 points)

- \$0 - \$10,000 (6 points)
- \$10,000 - \$20,000 (12 points)
- \$20,000 - \$30,000 (18 points)
- \$30,000 - \$40,000 (24 points)
- \$40,000 - \$50,000+ (30 points)

Project Ratio – Applicant investment vs. TOEURA's match (maximum of 20 points)

- 1:1 (15 points)
- 2:1 (20 points)
- 3:1 (25 points)
- 4:1+ (30 points)

Public Benefit (maximum of 10 points)

Public benefit is determined by a number of factors, including without limitation: risk, rehab or reuse of distressed property, public infrastructure, jobs, unique user, new good or service, years in business, years in business in the Town, visibility, and other community benefit or need.

Extra Credit available for Erie Green Business Program (maximum of 10 points)

- Gold recognition (10 point)
- Silver recognition (8 points)
- Bronze recognition (5 points)

2. Business Siting and Expansion Category (Maximum of 100 points)

Capital Investment (maximum of 30 points)

- \$0 - \$10,000 (6 points)
- \$10,000 - \$20,000 (12 points)
- \$20,000 - \$30,000 (18 points)
- \$30,000 - \$40,000 (24 points)
- \$40,000 - \$50,000+ (30 points)

Project Ratio – Applicant investment vs. TOEURA's match (maximum of 30 points)

- 1:1 (15 points)
- 2:1 (20 points)
- 3:1 (25 points)
- 4:1+ (30 points)

Public Benefit (maximum of 25 points)

Public benefit is determined by a number of factors, including, but not limited to: risk, rehab or reuse of distressed property, public infrastructure, jobs, unique user, new good or service, years in business, years in business in the Town, visibility, and other community benefit or need.

Job Creation Benefit (maximum 5 points)

- 0 (0 points)
- 1-10 (5 points)

Business operates in a target industry, as defined by the North American Industry Classification System (NAICS) Code (10 points)

- 51 – Information (including Ag-Tech)
- 52 – Finance and Insurance
- 54 – Professional, Scientific, and Technical Services
- 55 – Management of Companies and Enterprises

Extra Credit available for Erie Green Business Program (maximum of 20 points)

- Gold recognition (20 points)
- Silver recognition (15 points)
- Bronze recognition (5 points)

Town of Erie Revitalization Incentive Grant Program Historic Building Improvements Grant and Business Siting and Expansion Grant

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- Removal of non-historic features
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- Window/display areas
- Security improvements for window/display areas
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The business must be expanding in size and not merely changing locations. Only for-profit businesses are eligible for assistance. No business that is owned wholly or in part by a past or present elected official or appointed official, or any present employee of the Town, including relatives of such officials and employees, may participate in the program.

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Guidelines

1. Grant preference will be given to site improvements that provide the most significant visual improvement over current conditions as seen from public streets and trails. Downtown business preference will be given to site improvements adhering to the 2016 Downtown Redevelopment Framework and Concepts.

2. Applicants must be in good standing with the Colorado Secretary of State and the Town of Erie. Properties with outstanding code violations, delinquent sales taxes or past due Town utility bills are not eligible to apply.
3. Proposed improvements must meet applicable Town codes. Businesses must provide before and after photos of project.
4. The applicant is responsible for obtaining all building and other required permits before any project work commences.
5. Project must be eligible improvements outlined above.
6. [The Project must comply with all Town waste diversion policies adopted by the Town.](#)
7. [Energy efficient fixtures, appliances and materials must be used to the greatest extent possible.](#)
8. Two monthly progress payments for out-of-pocket costs can be requested with the appropriate Reimbursement Form and Paid Receipts submitted for up to 50% of the scheduled out-of-pocket costs. Final payment of the remaining 50% of out-of-pocket costs will be processed upon verification and inspection of qualifying improvements.
9. All businesses must receive grant approval prior to beginning construction. Costs for work prior to awarding of funds cannot be reimbursed.
10. Projects selected for grant funding may be featured in Town promotional materials.

Application Scoring Criteria

The TOEURA committee will score the application based on the following: capital investment; ratio of applicant project investment vs. TOEURA's match; percentage of the project that is new improvements vs. maintenance of existing improvements; and the overall public benefit of the project. Points are awarded for each category. This information is provided so that each applicant can better understand the scoring process - the applicant does not need to score their application.

1. Historic Building Improvements Category (maximum [of 50](#) points)

Capital Investment (maximum of 20 points)

- \$0 - \$10,000 (6 points)
- \$10,000 - \$20,000 (12 points)
- \$20,000 - \$30,000 (18 points)
- \$30,000 - \$40,000 (24 points)
- \$40, 000 - \$50,000+ (30 points)

Project Ratio – Applicant investment vs. TOEURA's match (maximum of 20 points)

- 1:1 (15 points)
- 2:1 (20 points)
- 3:1 (25 points)
- 4:1+ (30 points)

Public Benefit (maximum of 10 points)

Public benefit is determined by a number of factors, including without limitation: risk, rehab or reuse of distressed property, public infrastructure, jobs, unique user, new good or service, years in business, years in business in the Town, visibility, and other community benefit or need.

Extra Credit available for Erie Green Business Program (maximum of 10 points)

- Gold recognition (10 point)
- Silver recognition (8 points)
- Bronze recognition (5 points)

2. Business Siting and Expansion Category (Maximum of 100 points)**Capital Investment (maximum of 30 points)**

- \$0 - \$10,000 (6 points)
- \$10,000 - \$20,000 (12 points)
- \$20,000 - \$30,000 (18 points)
- \$30,000 - \$40,000 (24 points)
- \$40, 000 - \$50,000+ (30 points)

Project Ratio – Applicant investment vs. TOEURA’s match (maximum of 30 points)

- 1:1 (15 points)
- 2:1 (20 points)
- 3:1 (25 points)
- 4:1+ (30 points)

Public Benefit (maximum of 25 points)

Public benefit is determined by a number of factors, including, but not limited to: risk, rehab or reuse of distressed property, public infrastructure, jobs, unique user, new good or service, years in business, years in business in the Town, visibility, and other community benefit or need.

Job Creation Benefit (maximum 5 points)

- 0 (0 points)
- 1-10 (~~5~~10 points)

Business operates in a target industry, as defined by the North American Industry Classification System (NAICS) Code (10 points)

- 51 – Information (including Ag-Tech)
- 52 – Finance and Insurance
- 54 – Professional, Scientific, and Technical Services

55 – Management of Companies and Enterprises

Extra Credit available for Erie Green Business Program (maximum of 20 points)

- Gold recognition (20 points)
- Silver recognition (15 points)
- Bronze recognition (5 points)



A Resolution of the Board of Commissioners of the
Town of Erie Urban Renewal Authority
Approving Amendments to the
Revitalization Incentive Grant Program

August 9th, 2022

Leisha Talley- Sustainable Economic Development Fellow
Lucas Workman- Economic Development Manager

GOALS

- History and Background
- Inclusion for Policy Changes
- Requested Amendments
- Partners and Implementation

History and Background

- 2013- Historic Old Town Erie Urban Renewal Area
- 2019- Sustainability Master Plan
- 2020- Revitalization Incentive Grant Program
- 2022- TOEURA Board of Commissioners request sustainability



Inclusion for Proposed Changes

- Reviewed Town of Erie sponsored reports and master plans
- Interviewed business owners
- Consulted with various Town of Erie departments
- Presented or promoted materials for independent business owners, Chamber of Commerce, and Downtown Erie Business Association



Requested Amendments

- Include efficiency ratings for eligible appliances, materials, and fixtures
- Extra points for participation in Erie Green Business Program
- Revitalization projects should consider priorities, strategies, actions items, and targets set forth by the Town of Erie's Sustainability Master Plan, Water Efficiency Plan, and Waste Diversion Policies
- Requiring contractors to adhere to Erie Waste Diversion Policies



Partners and Implementation

- Colorado Green Business Network
- Partners for a Clean Environment
- Xcel Partners in Energy
- Erie Chamber of Commerce
- Neighboring Municipalities



Summary & Questions

We are respectfully requesting the Town of Erie Urban Renewal Authority approve the proposed changes because these updates align with the Town of Erie priorities and goals.

Questions?





TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Urban Renewal Authority

Board Meeting Date: 8/9/2022

File #: 22-288, **Version:** 1

Subject:

A Resolution of the Board of Commissioners of the Town of Erie Urban Renewal Authority Approving the Payment of Funds to the Town of Erie for the Preparation of the Erie Gateway Planned Development from the Proposed I-25 Erie Gateway Urban Renewal Plan Area

Department: Economic Development

Presenter(s): Julian Jacquin, Economic Development Director
Sarah Nurmela, Planning and Development Director
Neal Payton, Torti Gallas + Partners, Inc.

Time Estimate: 15 minutes

Fiscal Summary:

Cost as Recommended:	\$493,987
Balance Available:	\$51,860
Budget Line Item Number:	800-90-875-560100-100282
New Appropriation Required:	Yes

Staff Recommendation:

To review the scope of work and approve the Expenditure.

Summary and Background of Subject Matter:

Town staff seeks to retain Torti Gallas + Partners, Inc., to assist in the refinement and entitlement of the existing planning and urban design vision for the I-25 Erie Gateway site, at the northwest corner of I-25 and Erie Parkway. The final product will be an adopted new Planned Development (PD) District for this site, addressing the southern 600 acres of the 1,200-acre new development area. The new PD site is bounded by Weld County Road 7 (WCR-7) to the west and I-25 to the east, and Weld County Roads 10 (WCR-10) and 8 (WCR-8 or "Erie Parkway") to the north and south.

The I-25 Erie Gateway will serve as a destination within the community and broader region, and is intended to be developed as a vibrant, sustainable, mixed-use, and transit-oriented development. This vision was established in concert with property owners and the community in 2018 and captured in the I-25 Erie Gateway Developer Book, which can be found here:

www.erieco.gov/DocumentCenter/View/11327/Erie-Gateway-Developer-Book

<http://www.erieco.gov/DocumentCenter/View/11327/Erie-Gateway-Developer-Book>.

Implementation of this broad vision will require a closer evaluation of scale, connectivity, mix of uses, built form and mobility. The PD will thus refine the vision in a cohesive document that addresses use, urban design, and connectivity.

Currently, approximately half of the 600-acre site (255 acres) is owned by the Town of Erie, with the remainder comprising 13 privately-owned parcels (currently unincorporated Weld County) on the western portion of the site along County Road 7. The vision for the I-25 Erie Gateway development site also includes the 600-acre "North Station" site owned by the Community Development Group (CDG), which is entitled under a separate PD. The planning process for the "I-25 Erie Gateway - South" site will be led by the Town of Erie and will include existing property owners both within and adjacent to the planning area as well as the Town's development partner for the Town-owned property (Hines), pursuant to the Exclusive Negotiation Agreement adopted by the Board of Trustees on July 12, 2022. Staff anticipates the PD will be completed over a 12-15 month period.

The Town issued a Request for Proposal (RFP) for the planning and design of the Erie Gateway PD in June 2022 and received one proposal from Torti Gallas + Partners, Inc. The Scope of Services is included in the attached agenda items.

The Town of Erie had proposed creating a new Urban Renewal Plan Area (URA) for the I-25 Erie Gateway site in 2018/2019 but was ultimately never completed. Town staff is now preparing agreements with consultants to restart that effort and create a new URA for this larger development area, which staff hopes will be completed by early 2023. Town staff seeks to retain Torti Gallas + Partners, Inc. for the new Erie Gateway PD using future revenues from the new URA, after it is created and the URA begins receiving new TIF revenue from development activity at this location. Initial costs for Torti Gallas + Partners, Inc. will be paid by loan from the Town's General Fund, with those funds to be reimbursed from future URA revenues at a later date.

As a result, Town staff is asking the TOEURA Board of Commissioners to approve the payment of funds to the Town of Erie for the preparation of the Erie Gateway Planned Development (PD) from future revenues in the new proposed I-25 Erie Gateway Urban Renewal Plan Area. The Professional Services Agreement with Torti Gallas + Partners, Inc. is also on the August 9 Board of Trustees agenda for the Board's consideration.

Fiscal Impact: \$493,987

Board Priority(s) Addressed:

- ✓ Attractive Community Amenities
- ✓ Engaged and Diverse Community
- ✓ Prosperous Economy
- ✓ Well-Maintained Transportation Infrastructure
- ✓ Safe and Healthy Community
- ✓ Effective Governance

Attachment(s):

1. Resolution 22-07
2. TGP Agreement
3. Erie Request for Proposal (RFP)

Agreement for Professional Services

This Agreement for Professional Services (the "Agreement") is made and entered into this _____ day of _____, 2022 (the "Effective Date"), by and between the Town of Erie, a Colorado municipal corporation with an address of 645 Holbrook Street, P.O. Box 750, Erie, CO 80516 (the "Town"), and Torti Gallas + Partners, Inc., a Delaware corporation with a principal place of business at 1923 Vermont Avenue NW, Washington, DC 20001 ("Contractor") (each a "Party" and collectively the "Parties").

Whereas, the Town requires professional services; and

Whereas, Contractor has held itself out to the Town as having the requisite expertise and experience to perform the required professional services.

Now Therefore, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

I. Scope of Services

A. Contractor shall furnish all labor and materials required for the complete and prompt execution and performance of all duties, obligations, and responsibilities which are described or reasonably implied from the Scope of Services set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

B. A change in the Scope of Services shall not be effective unless authorized as an amendment to this Agreement. If Contractor proceeds without such written authorization, Contractor shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum merit or implied contract. Except as expressly provided herein, no agent, employee, or representative of the Town is authorized to modify any term of this Agreement, either directly or implied by a course of action.

II. Term and Termination

A. This Agreement shall commence on the Effective Date, and shall continue until Contractor completes the Scope of Services to the satisfaction of the Town, or until terminated as provided herein.

B. Either Party may terminate this Agreement upon 30 days advance written notice. The Town shall pay Contractor for all work previously authorized and completed prior to the date of termination. If, however, Contractor has substantially or materially breached this Agreement, the Town shall have any remedy or right of set-off available at law and equity.

III. Compensation

In consideration for the completion of the Scope of Services by Contractor, the Town shall pay Contractor as set forth in **Exhibit B**, attached hereto and incorporated by this reference. The total amount of compensation shall not exceed \$493,987.

IV. Professional Responsibility

A. Contractor hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and professional licenses in good standing, required by law. The work performed by Contractor shall be in accordance with generally accepted professional practices and the level of competency presently maintained by other practicing professional firms in the same or similar type of work in the applicable community. The work and services to be performed by Contractor hereunder shall be done in compliance with applicable laws, ordinances, rules and regulations.

B. The Town's review, approval or acceptance of, or payment for any services shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

C. Because the Town has hired Contractor for its professional expertise, Contractor agrees not to employ subcontractors to perform any work under this Agreement, except as expressly set forth in the Scope of Services.

D. Contractor shall at all times comply with all applicable law, including without limitation all current and future federal, state and local statutes, regulations, ordinances and rules relating to: the emission, discharge, release or threatened release of Hazardous Material into the air, surface water, groundwater or land; the manufacturing, processing, use, generation, treatment, storage, disposal, transportation, handling, removal, remediation or investigation of a Hazardous Material; and the protection of human health, safety or the indoor or outdoor environmental, including without limitation the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, *et seq.* ("CERCLA"); the Hazardous Materials Transportation Act, 49 U.S.C. § 1801, *et seq.*; the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, *et seq.* ("RCRA"); the Toxic Substances Control Act, 15 U.S.C. § 2601, *et seq.*; the Clean Water Act, 33 U.S.C. § 1251, *et seq.*; the Clean Air Act, 42 U.S.C. § 7401, *et seq.*; the Occupational Safety and Health Act, 29 U.S.C. § 651, *et seq.*; all applicable environmental statutes of the State of Colorado; and all other federal, state or local statutes, laws, ordinances, resolutions, codes, rules, regulations, orders or decrees regulating, relating to, or imposing liability or standards of conduct concerning any hazardous, toxic or dangerous waste, substance or material, as now or at any time hereafter in effect.

V. Ownership

Any materials, items, and work specified in the Scope of Services, and any and all related documentation and materials provided or developed by Contractor shall be exclusively owned by the Town. Contractor expressly acknowledges and agrees that all work performed under the Scope of Services constitutes a "work made for hire." To the extent, if at all, that it does not constitute a "work made for hire," Contractor hereby transfers, sells, and assigns to the Town all of its right, title, and interest in such work. The Town may, with respect to all or any portion of such work, use, publish, display, reproduce, distribute, destroy, alter, retouch, modify, adapt, translate, or change the Work Product without providing notice to or receiving consent from Contractor; provided that Contractor shall have no liability for any work that has been modified by the Town.

VI. Independent Contractor

Contractor is an independent contractor. Notwithstanding any other provision of this Agreement, all personnel assigned by Contractor to perform work under the terms of this Agreement shall be, and remain at all times, employees or agents of Contractor for all purposes. Contractor shall make no representation that it is a Town employee for any purposes.

VII. Insurance

A. Contractor agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by Contractor pursuant to this Agreement. At a minimum, Contractor shall procure and maintain, and shall cause any subcontractor to procure and maintain, the insurance coverages listed below, with forms and insurers acceptable to the Town.

1. Worker's Compensation insurance as required by law.
2. Commercial General Liability insurance with minimum combined single limits of \$1,000,000 each occurrence and \$2,000,000 general aggregate. The policy shall be applicable to all premises and operations, and shall include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and employee acts), blanket contractual, products, and completed operations. The policy shall contain a severability of interests provision, and shall include the Town and the Town's officers, employees, and contractors as additional insureds. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations.
3. Professional liability insurance with minimum limits of \$1,000,000 each claim and \$2,000,000 general aggregate.

B. Such insurance shall be in addition to any other insurance requirements imposed by law. The coverages afforded under the policies shall not be canceled, terminated or materially changed without at least 30 days prior written notice to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage. Any insurance carried by the Town, its officers, its employees or its contractors shall be excess and not contributory insurance to that provided by Contractor. Contractor shall be solely responsible for any deductible losses under any policy.

C. Contractor shall provide to the Town a certificate of insurance as evidence that the required policies are in full force and effect. The certificate shall identify this Agreement.

VIII. Indemnification

A. Contractor agrees to indemnify and hold harmless the Town and its officers, insurers, volunteers, representative, agents, employees, heirs and assigns from and against all claims, liability, damages, losses, expenses and demands, including reasonable attorney fees, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Agreement if such injury, loss, or damage is caused in whole or in part by, the omission, error, professional error, mistake, negligence, or other fault of Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor, or which arise out of a worker's compensation claim of any employee of Contractor or of any employee of any subcontractor of Contractor; provided that Contractor's liability under this indemnification provision shall be to the fullest extent of, but shall not exceed, that amount represented by the degree or percentage of negligence or fault attributable to Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor or of any subcontractor of Contractor.

B. If Contractor is providing architectural, engineering, surveying or other design services under this Agreement, the extent of Contractor's obligation to indemnify and hold harmless the Town may be determined only after Contractor's liability or fault has been determined by adjudication, alternative dispute resolution or otherwise resolved by mutual agreement between the Parties, as provided by C.R.S. § 13-50.5-102(8)(c).

IX. Miscellaneous

A. *Governing Law and Venue.* This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Weld County, Colorado.

B. *No Waiver.* Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

C. *Integration.* This Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

D. *Third Parties.* There are no intended third-party beneficiaries to this Agreement.

E. *Notice.* Any notice under this Agreement shall be in writing, and shall be deemed sufficient when directly presented or sent pre-paid, first class U.S. Mail to the Party at the address set forth on the first page of this Agreement.

F. *Severability.* If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

G. *Modification.* This Agreement may only be modified upon written agreement of the Parties.

H. *Assignment.* Neither this Agreement nor any of the rights or obligations of the Parties shall be assigned by either Party without the written consent of the other.

I. *Governmental Immunity.* The Town and its officers, attorneys and employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities or protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers, attorneys or employees.

J. *Rights and Remedies.* The rights and remedies of the Town under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

K. *Subject to Annual Appropriation.* Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

L. *Force Majeure.* No Party shall be in breach of this Agreement if such Party's failure to perform any of the duties under this Agreement is due to Force Majeure, which shall be defined as the inability to undertake or perform any of the duties under this

Agreement due to acts of God, floods, fires, sabotage, terrorist attack, strikes, riots, war, labor disputes, forces of nature, the authority and orders of government or pandemics.

In Witness Whereof, the Parties have executed this Agreement as of the Effective Date.

Town of Erie, Colorado

Justin Brooks, Mayor

Attest:

Debbie Stamp, Town Clerk

Contractor

By: _____

State of Colorado)
) ss.
County of _____)

The foregoing instrument was subscribed, sworn to and acknowledged before me this ____ day of _____, 2022, by _____ as _____ of Torti Gallas + Partners, Inc.

My commission expires:

(Seal)

Notary Public

Exhibit A Scope of Services

General

Contractor shall prepare a Planned Development Plan ("PD Plan") for the southern half of the site known as Erie Gateway in compliance with the Town's Unified Development Code ("UDC") and the Erie Gateway Plan.

Contractor will engage the following subcontractors for the following work: Calibre Engineering for civil engineering; Fehr and Peers for traffic impact reports; ERO Resources for environmental reports; CTL|Thompson for geotechnical reports; and Aztec Consultants for surveying. Notwithstanding the foregoing, Contractor remains fully responsible for all work performed under this Scope of Services.

Assumptions

The following assumptions and exclusions apply to this Scope of Services:

- The contour data within the project site will be used for conceptual design only.
- Contractor will not collect new traffic volume data.
- Contractor will not prepare a cultural resources pedestrian survey.
- Contractor will not prepare a FACWet assessment.
- Contractor will not conduct field work associated with the stream quantification tool (SQT)
- Contractor will not be responsible for Section 404 permitting.
- The Phase I ESA will not include: migratory birds; asbestos-containing materials; radon; lead-based paint; lead in drinking water; mold; or subsurface mineral rights and leases.

Tasks

Task 1. Pre-Charrette Research and Project Management

Task 1.1. Pre-Charrette Research

Contractor shall review the Erie Gateway Plan in detail, making note of specific areas of uncertainty, and identifying issues that may need further study. In preparation for the charrette, Contractor shall develop a matrix of issues and questions. Contractor shall prepare a matrix of potential building types that Contractor expects may be deployed for the site area, noting such things as density, urban design characteristics, parking characteristics and the like.

Task 1.2. Survey

Entry. Contractor shall obtain necessary written permission to enter adjacent properties for surveying work.

Control Survey: Contractor shall establish horizontal and vertical survey control for the site based on NGS and Town control points. The coordinate system will be a NAD83 Colorado State Plane North Zone modified to ground coordinates. Vertical Datum will be NAVD88. All elevations shall be GSP derived. No differential leveling shall be utilized.

Boundary: Contractor shall:

- Research County records to obtain subdivision plats, Land Survey Plats and deeds relevant to the site.
- Field survey to locate section corners, property corners and range points controlling the boundaries of the subject parcels.
- Resolve any discrepancies between field measured data and record data.
- Set missing property corner monuments on the overall parcel boundary.
- Prepare an AutoCAD base map with all boundary data.

Title Review: Contractor shall review a current title commitment (to be provided by owner or the Town) to identify and locate existing easements and encumbrances. Contractor shall add the easement data to the AutoCAD base map.

Site Improvements: Contractor shall perform a field survey to locate all visible above ground utilities, improvements and buildings within the site and within 5 feet of the property lines. Contractor shall add the above ground utilities and site improvements to the AutoCAD base map.

Task 1.3. General Services, Project Management, Bi-Weekly and Miscellaneous Meetings

- Contractor shall hold virtual check-in meetings every other week. Each meeting will be preceded by an agenda issued the day before and a meeting summary, issued no later than a day after. Contractor shall be at all meetings and subcontractors shall attend on an as necessary basis.
- On a monthly basis, Contractor shall issue a status report on what was accomplished during the month.

Task 2. Kickoff Meeting, Site Visit: In-House Charrette and Charrette Report

Contractor shall conduct a site visit, making note of additional issues that may need further elaboration. Contractor shall then gather for a 2-day charrette, involving Contractor's design team, as well as Planning, Engineering and Economic Development Staff from the Town.

Contractor shall produce a summary report of the charrette work, with an identification of next steps.

Task 3. Draft Regulating Plan and Illustrated Plan

Contractor shall prepare an Illustrated Development Plan that will form the basis for a Regulating Plan. The Illustrated Plan shall be supplemented by a digital massing model, which will form the underlay for several perspective renderings. During the creation of this plan, Contractor shall hold regular meetings with Town staff.

Preliminary grading contours shall be included as needed for the PD submittal package. Contractor shall provide base mapping, exhibit preparation support for GIS and CAD files, and provide iterations of concepts for use with Site Ops, which can also provide conceptual grading and rough quantities that can be used by others for potential cost estimates for infrastructure improvements including providing all plan drawings in CAD as soon as they are produced for their use in preparation of the PD documents.

Task 4. Development Standards – Draft 1

Contractor shall produce the Development Standards, including the following:

- Land Use Standards
- General Zone Descriptions
- Lot and Massing Standards / Zone
- Building Type Standards
- Frontage Type Standards
- Street and Alley Standards
- Large Lot Standards
- Public and Civic Space Standards
- General Architectural Standards
- Signage Standards

Task 5. Development Standards – Draft 2

Contractor shall submit the Development Standards for staff review in parts, as they are completed, and then update them accordingly.

Task 6. Final PD Plan

Task 6.1. Submittal Drawings, Design Standards, and Other Exhibits

Contractor shall refine the Illustrated Plan and Regulating Plan, Draft 2 of the Development Standards and Additional Exhibits. After Town Development Review Team ("DRT") review, Contractor shall address, in writing, all issues and deficiencies identified and resubmit for a second review.

Contractor shall prepare an ALTA/NSPS Land Title Survey, using the boundary, easement and site improvements data, to the 2021 Minimum Standard Detail Requirements for ALTA/ NSPS Land Title Surveys.

In addition to the ALTA survey, other submittal drawings shall include:

- Concept Plan
- Home Diversity Plan and Chart

- Building Form/Characteristics Plans (will include examples of buildings that would typify development types, but would not include buildings or facades designed specifically for this site)
- Illustrative Concept Plans
- Utility Concept Plan
- Oil/gas Plan
- Parking, Loading and Vehicular and Pedestrian Circulation
- Signage Plan
- Overall Photometric Plan
- Parks and Open Spaces Plans
- Typical Road Sections and Streetscape Plans
- Phasing Plan
- Landscaping Plan
- Environmental Plan

Contractor shall prepare the following exhibits:

- An Assessment of Impact Report
- Phase 1 Drainage Report and Plan
- Traffic Impact Narrative
- General Conceptual Utility Report
- Threatened and Endangered Species, Habitat and Wetlands report
- Cultural Archaeological and Historical Resource Report and Protection Plan
- Native Tree and Vegetation Survey and Protection Plan
- Environmental Hazards Report
- Soils Report
- Geological Report
- Comparative chart that lists UDC regulation to be modified and the proposed modification
- Existing and proposed major easements

Task 6.2: Traffic Impact Narrative

Contractor shall perform an analysis of the proposed transportation network, including a description of transportation networks and services for all modes of travel. Contractor shall use available data to analyze volumes and intersection level of service during peak

periods. Given the available data, Contractor shall assess these conditions on roadways internal to the site, as well as adjacent to the site.

Contractor shall assess the transportation implications of the proposed land use by using Fehr & Peers' MainStreet tool – a web-based application for estimating trip generation for mixed-use developments that is one of the most accurate estimation tools that exists today. MainStreet accounts for density, diversity of land uses, distance to transit, demographics, and design of the site, which are not considered in other currently accepted trip generation methodologies such as the Institute of Transportation Engineers ("ITE"). Contractor shall estimate not only future vehicle trips, but the number of people walking, biking, and taking transit to and from the site.

Based on the proposed transportation network assessment, results of the land use analysis, national design guidelines, the Town's Comprehensive Plan and Master Transportation Plan, and best practices, Contractor shall propose a set of multimodal recommendations that address safety, capacity, connectivity, and efficiency challenges.

Contractor shall compare the estimated vehicle trips with the proposed development to the planned transportation network to determine what additional capacity needs to be considered for intersections and corridors. Contractor shall consider recommendations such as turn lanes, queue lengths, signal timing, and additional general travel lanes to ensure that the proposed site operates efficiently and safely.

Contractor's assessment and recommendations shall be documented in a Technical Memorandum.

Task 6.3: Natural and Cultural Resources

Open Waters, Wetlands, and Channels, Natural Resources Report

Contractor shall delineate all wetlands, open waters, and channels within the project area that may be under U.S. Army Corps of Engineers ("Corps") jurisdiction through Section 404 of the Clean Water Act. Wetlands will be delineated following the methods in the revised online version of the Corps' Wetland Delineation Manual (1987) and the appropriate regional supplement. Open water and channels shall be determined based on the presence of an ordinary high-water mark as defined in 33 CFR Part 328. Contractor shall map the boundaries of wetlands, open water, and channels to submeter accuracy using a Global Positioning System ("GPS") unit or, when appropriate, boundaries will be mapped onto an appropriately scaled aerial photograph. Contractor shall incorporate the wetland boundaries into project base mapping provided by the project engineer and include a layer with the boundaries of wetlands, open water, and channels.

A qualified biologist shall conduct a natural resource analysis site visit to identify other potential natural resource concerns, focusing on identifying and recording site-specific information including habitat for sensitive plant and animal species, and potential or actual use of the project area by raptors, migratory birds, and other wildlife.

Contractor shall prepare a Natural Resources Assessment Report.

Threatened and Endangered Species Compliance

Contractor shall assess the site for potential threatened and endangered species habitat. Contractor shall prepare a habitat assessment report, which would provide information on potential impacts from the project.

Cultural Resources File Search and Literature Review

Contractor shall conduct a Class I review, or cultural resource file and literature search, of the site with the Office of Archaeology and Historic Preservation ("OAHP") to identify previously conducted cultural resource inventories and previously documented cultural resources, and summarize the results in a memorandum. Contractor shall determine if any additional investigation (*e.g.*, pedestrian surveys) is necessary regarding potential effects on cultural resources.

Phase I Environmental Site Assessment

Contractor shall conduct a Phase I Environmental Site Assessment ("ESA") of the site. The Phase I ESA will consist of a visual inspection, interviews, and a compilation and review of publicly available information from a variety of sources about past and current environmental conditions.

Contractor shall conduct a visual site reconnaissance to document recognized environmental conditions and take photographs as appropriate. Contractor shall not take any samples during the site reconnaissance.

Contractor shall document the general site setting, such as current uses of the subject property and adjoining properties, general hydrogeologic and topographic features, and a general description of structures and other improvements on the subject property. Contractor shall identify the following site conditions:

- The quantity, type, and storage system for hazardous substances and petroleum products in connection with identified uses.
- Tanks, containers, drums, barrels, and other systems used for storing hazardous substance and petroleum products not connected to identified uses.
- Above-ground and underground storage tanks.
- Pits, ponds, lagoons and other features potentially used for storage and/or disposal of hazardous substances and petroleum product.
- Odors, pools of liquids, stained soils and pavement, and stressed vegetation
- Presence of electrical equipment potentially containing polychlorinated biphenyls ("PCBs").

Native Tree and Vegetation Survey

Contractor shall conduct a tree survey to identify trees greater than 3-inch diameter at breast height and GPS located to sub-meter accuracy.

Task 6.4: Geo-Technical Reports

Contractor shall perform a geologic reconnaissance of the site and drill 24 borings to depths of 20 to 35 feet. Contractor shall create both a Geological Report and a Soils Report.

Task 6.5 Civil Engineering Reports

Preliminary Drainage Report:

Contractor shall prepare a Preliminary Drainage Report, including overall basin delineation, pond sizing, and location of sized ponds throughout the site, but exclusive of sizing of storm sewers or inlets.

Preliminary Utility Report:

Contractor shall prepare a Preliminary Utility Report to establish the utility service extension concepts for the planned PD area, including:

- Project peak water demands and sewage generation.
- Fire flow.
- The use of network analysis software to determine pressures and sizes.
- A utility report narrative, calculations, and exhibit, with a mathematical model of the backbone elements of the proposed water system, analysis of the existing reports, along with the proposed conditions.
- Pipe sizes for major water mains and sanitary sewer mains.
- An analysis of existing water and sanitary stubs into the site and mapping of potential connection points.

Oil and Gas Plan/Report:

Contractor shall prepare a plan identifying all oil and gas facilities as well as offsets and easements regarding those facilities.

Chart Comparing UDC Regulations to Proposed PD Regulations:

Contractor shall review existing Town of Erie design guidelines and specifications, and provide recommended revisions for the proposed PD.

Task 7. Final PD Plan

Based on feedback, Contractor shall prepare the final PD Plan.

Contractor shall attend meetings of the Planning Commission and the Board of Trustees at which the PD Plan is considered.

EXHIBIT B

Cost Summary: I-25 Erie Gateway - Revised 7-28-200

Task		Summary of Costs						
		Torti Gallas + Partners	Calibre Engineering	Fehr and Peers	ERO Resources	CTL Thompson	Aztec Consultants	TOTALS
Task 1	Pre-Charrette Research and Project Management	\$35,474	\$21,550	\$0	\$0	\$0	\$49,600	\$106,624
Task 1.1	Pre-Charrette Resarch	\$14,500	\$7,400					\$21,900
Task 1.2	Survey						\$49,600	\$49,600
Task 1.2	Project Management, Bi-weekly meetings and other Misc. meetings	\$20,974	\$14,150					\$35,124
Task 2	Kickoff Meeting, Site Visit – In-house charrette and Charrette report	\$33,500	\$0	\$500	\$500	\$0	\$0	\$34,500
Task 2.1	Kickoff Meeting, Site Visit – In-house charrette	\$14,500		\$500	\$500			\$15,500
Task 2.2	Charrette Report	\$19,000						\$19,000
Task 3	Draft Regulating and Illustrated Plans	\$35,000	\$28,300	\$0	\$0	\$0	\$0	\$63,300
Task 3	Draft Regulating and Illustrated Plans	\$35,000	\$28,300					\$63,300
Task 4	Development Standards – Draft 1	\$59,000	\$0	\$0	\$0	\$0	\$0	\$59,000
Task 4	Development Standards – Draft 1	\$59,000						\$59,000
Task 5	Development Standards – Draft 2	\$34,000	\$0	\$0	\$0	\$0	\$0	\$34,000
Task 5	Development Standards – Draft 2	\$34,000						\$34,000
Task 6	Draft Final PD Plan	\$51,200	\$46,343	\$18,500	\$24,050	\$16,000	\$6,970	\$163,063
Task 6.1	Submittal Drawings, Design Standards, and Other Exhibits	\$45,500					\$6,970	\$52,470
Task 6.2	Traffic Impact Narrative	\$475	\$700	\$18,500				\$19,675
Task 6.3	Natural and Cultural Resources *	\$750			\$24,050			\$24,800
Task 6.4	Geotechnial study	\$475	\$700			\$16,000		\$17,175
Task 6.5	Civil Engineering Reports	\$4,000	\$44,943					\$48,943
Task 7	Final PD Plan and Hearings	\$15,500	\$4,000	\$0	\$0	\$0	\$0	\$19,500
Task 11.A.1	Preparation of Final PD in response to Comments from DRT	\$10,500	\$4,000					\$14,500
Task 11.A.2	Attendance at Planning Commission and Board of Trustees meetings	\$5,000						\$5,000
	Sub -Totals	\$263,674	\$100,193	\$19,000	\$24,550	\$16,000	\$56,570	\$479,987
	Direct Expenses	\$14,000						\$14,000
	TOTAL	\$277,674	\$100,193	\$19,000	\$24,550	\$16,000	\$56,570	\$493,987

This fee includes all of the services expected of a PD with the exception of a Tree Protection Plan.

Request for Proposal

Consulting Services
I-25 Erie Gateway – South Planned Development (PD) District
Project Number PD-22-001



Town of Erie
645 Holbrook Street
P.O. Box 750
Erie, Colorado 80516

Issued: June 8, 2022

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Invitation to Propose

Electronic Proposals will be received by the Town of Erie (the "Town") until **11:59 p.m.**, Mountain Standard Time, **July 1st, 2022** for the I-25 Erie Gateway – South Planned Development #PD-22-001.

Proposal Submittals: All bids must be submitted electronically using the portal at <https://www.bidnetdirect.com/colorado>

Hardcopy submittals will not be accepted. It is the Bidder's sole responsibility to ensure all required Proposal documents are submitted by the submission deadline.

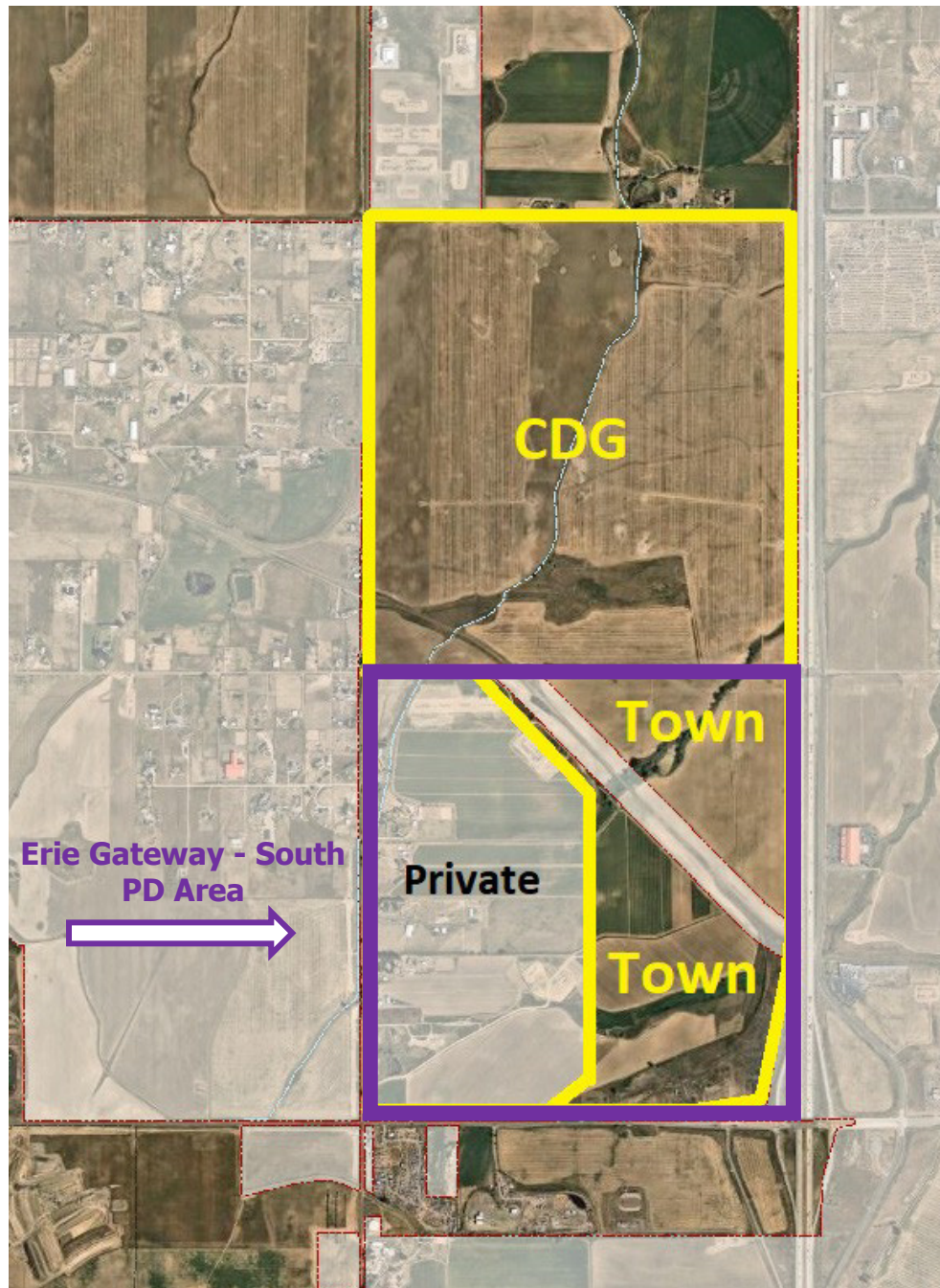
Proposals will be time-stamped by RMEPS upon receipt. After uploading proposal documents, **Bidders must click the SUBMIT button.** The Town will not accept uploads that are "saved" but not "submitted". To verify that a Proposal has been submitted successfully, Bidders may contact BidNet Support or verify, via the Bid Management tab in Bidder's account, that the documents are not in "Draft" status. The Town does not have access to or control of the vendor side of BidNet. Customer service number for BidNet is **800-835-4603**.

Project Summary

The Town seeks a qualified consultant (or team of consultants) to assist in refinement and entitlement of the existing planning and urban design vision for the I-25 Erie Gateway – South site in the Town of Erie. The final product of this effort will be an adopted new Planned Development (PD) District. The PD will address the southern 600-acre portion of the 1,200-acre I-25 Erie Gateway site at the northwest corner of I-25 and Erie Parkway. The I-25 Erie Gateway – South site is bounded by Weld County Road 7 (WCR-7) to the west and I-25 to the east, and Weld County Roads 10 (WCR-10) and 8 (WCR-8 or "Erie Parkway") to the north and south. Parameters for the PD document are outlined in the PD User Guide on the Town of Erie Planning & Development website, available here: <https://www.erieco.gov/111/Planning-Division>

The I-25 Erie Gateway will serve as a destination within the community and broader region, and is intended to be developed as a vibrant, sustainable, mixed-use, and transit-oriented development. This vision was established in concert with property owners and the community in 2018 and captured in the [I-25 Erie Gateway Developer Book](https://www.erieco.gov/DocumentCenter/View/11327/Erie-Gateway-Developer-Book), which can be found here: www.erieco.gov/DocumentCenter/View/11327/Erie-Gateway-Developer-Book. Implementation of this broad vision will require a closer evaluation of scale, connectivity, mix of uses, built form and mobility. The PD will thus refine the vision in a cohesive document that addresses use, urban design, and connectivity.

Currently, approximately half of the site (255 acres) is owned by the Town of Erie, with the remainder comprising 13 privately-owned parcels (currently unincorporated Weld County) on the western portion of the site along County Road 7. The vision for the I-25 Erie Gateway development site also includes the 600-acre “North Station” site owned by the Community Development Group (CDG), which is entitled under a separate PD.



The planning process for the I-25 Erie Gateway – South site will be led by the Town of Erie and will include existing property owners both within and adjacent to the planning area as well as the Town’s development partner for the Town-owned property, selected by the Board of Trustees in February 2022. It is anticipated that the PD will be completed over a 12-month period.

The Town encourages capable and qualified groups to submit proposals for the I-25 Erie Gateway – South PD Request for Proposal (RFP). If posted, documents supplementing the information provided and linked to in this RFP will be available after **5:00pm** MST, on **June 8th, 2022**, and may be obtained from the BidNet website at <https://www.bidnetdirect.com/colorado>.

A proposal interest meeting will be held virtually at **1:00pm MST, on June 21, 2022**, via Microsoft Teams. Please email Deborah Bachelder, Planning Manager and Deputy Planning and Development Director, at dbach@erieco.gov to request an invitation for this meeting. All questions related to this bid should be asked at this meeting.

The Town assumes no responsibility for payment of any expenses incurred by any respondent to this Invitation to Propose.

The Town of Erie is an Equal Opportunity Employer.

Dated this 8th day of June, 2022.

Town of Erie, Colorado

Project Background and Description

Town Overview

The Town of Erie is a full-service community located in Boulder and Weld Counties just west of I-25. Erie's incorporated area is 20 square miles, with a planning area that spans 48 square miles extending from the north side of State Highway 52 south to State Highway 7, and between US 287 on the west and I-25 to the east. Erie is a growing community currently comprised of approximately 10,125 residential units and a 2020 population of more than 30,000, triple the population of 15 years prior. The Erie Town Center Master Plan Market Analysis, completed in 2019, projected that Erie's population will grow to 64,000 by 2030. The Town has experienced recent commercial growth in Historic Old Town Erie, the Erie Commons neighborhood, Vista Ridge master-planned community, Coal Creek Center, the new Erie Town Center district and the new Nine Mile Corner retail development.

To learn more about the Town's demographic information and commercial development activity, please visit:

<http://www.erieco.gov/Community-Profile>

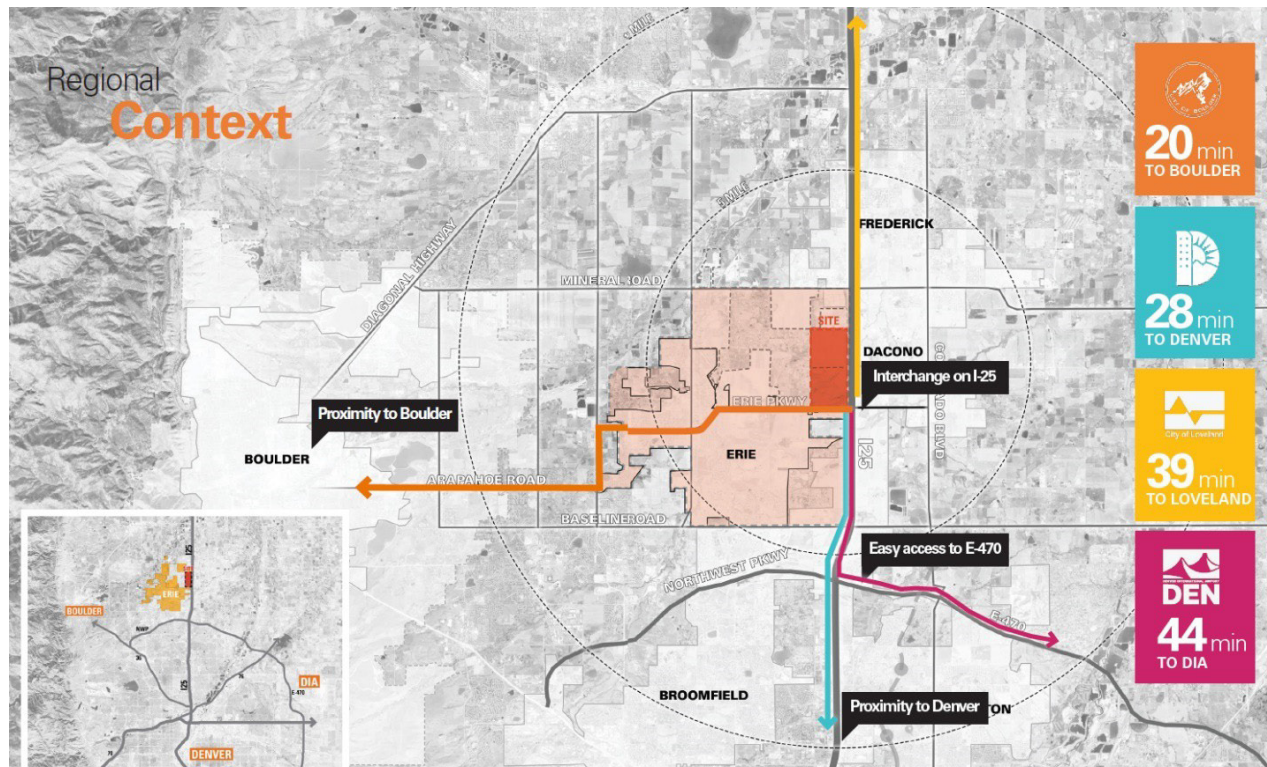
<http://www.erieco.gov/606/Economic-Development>

Site Overview and Vision

The I-25 Erie Gateway – South site is situated directly adjacent to I-25 at Erie Parkway. The site's one mile of frontage is visible to an annual average of 137,000 vehicles/day. This interstate connects the I-25 Erie Gateway site, and the Town of Erie, to the Denver Metropolitan Area, Longmont, Loveland, Boulder, and Fort Collins. Additionally, at this elevation and location along I-25, the site provides expansive views of the Rocky Mountains.

The vision for I-25 Erie Gateway was originally developed in 2018 in concert with the community and stakeholders in the I-25 Erie Gateway Developer Book. The Developer Book described a vision for a regionally-scaled retail and employment center recognized as a true destination where businesses and people flourish. The 2018 Developer Book was commissioned by the Town of Erie but has not been codified or adopted as part of Town zoning. The intent of this RFP is to commission consulting services to refine this vision into a new PD for the I-25 Erie Gateway – South portion of the site. The PD should reflect the original vision through a refined array of uses including a mixed-use employment center comprised of retail, specialty shops, restaurants, entertainment, office campus with high/low-density employment uses, and strategically located concentrations of hotels, residential apartments, condominiums, and single-family residences.

The development typology and overall layout of land uses, amenities, and infrastructure should reflect new urbanist and form-based approaches to development, with an additional layer of curated uses, activation, and neighborhood scale. The development should further respond to potential for a future commuter rail station and be structured to accommodate mobility and transit in multiple forms.



Transportation & Infrastructure Context

The vision for the I-25 Erie Gateway identifies a proposed new highway interchange at the intersection of I-25 and CR-10 in between Erie Parkway and CO Highway 52. The Colorado Department of Transportation (CDOT) requires a minimum distance between interchanges, and the proposed location of this new interchange does meet the requirements set forth by CDOT. A new proposed overpass is also shown at I-25 and County Road 12 (CR-12), just north of the proposed interchange at CR-10, allowing east-west traffic to cross I-25 at this location. Both improvements are shown for conceptual purposes only, and neither have been approved or funded by CDOT.

The North I-25 Environmental Impact Statement (EIS) completed by CDOT in 2011 also identified a new RTD commuter rail line, connecting Thornton to Boulder and Fort Collins, with a planned RTD stop at I-25 and Erie Parkway, in the center of the Town-owned property. In fact, RTD owns an existing 1.2-mile corridor of real property, with an unused rail bed that would be used for the new commuter rail line. This planned

RTD line and commuter rail stop helped drive the Town's purchase of this property in 2019. To date, the line extension and stop are long-range improvements for CDOT and have not yet been funded or scheduled for construction.

The final plan for the site shall be developed in conformance with the Town's Standards and Specifications for Design and Construction of Public Improvements and take into considerations the Town's Comprehensive Plan, 2018 Developer Book, Water Master Plan, Wastewater Master Plan, Transportation Master Plan, Erie Parkway Corridor Study, Outfall Systems Plan, and any other applicable criteria or studies as determined through the process.

Project Manager Information

The Project Manager for this project is Deborah Bachelder, Planning Manager and Deputy Planning and Development Director. All questions related to this bid should be asked at the proposal interest meeting, scheduled for **1:00pm MST, on June 21, 2022**, via Microsoft Teams. Please email Deborah Bachelder, Planning Manager and Deputy Planning and Development Director, at dbach@erieco.gov to request an invitation for this meeting. No phone calls will be accepted.

Scope of Work

The awarded Contractor shall provide applicable services consisting of, but not limited to, the following (including a list of deliverables):

- Collection and review of applicable plans and documents.
- Charrette with Town and key external stakeholders.
- Conceptual framework plan that builds upon existing vision in the I-25 Erie Gateway Developer Book. This plan should illustrate site organization in terms of use, design character, and mobility.
- Draft regulating plan that more specifically designates use areas and conditions, areas of activation, and built form.
- Draft form-based design standards that reflect CNU and urban design principles for mixed-use, livable environments that foster walkability, connectivity, and a vibrant, resilient environment.
- Final Planned Development draft for Planning Commission and Board of Trustee approval.
- Consultants should anticipate attendance and presentation at both Planning Commission and Board of Trustees study sessions and/or final hearings.

Submittal and Evaluation Criteria

All Bids shall be submitted via the BidNet website by the Bidder and must include the Bidder's contact name, business name, address and telephone number. Bids by partnerships must be signed with the partnership name followed by the signature and

designation of one of the partners or other authorized representative. A complete list of partners must be included with the bid. Bids by a corporation must be signed in the official corporate name, followed by the signature and designation of the president, secretary, or other person authorized to bind the corporation, and shall display the corporate seal. Corporations must designate the state in which they are incorporated, the address of their principal office, and the name and address of their agent for service of process. All Bids must be submitted electronically using the portal at <https://www.bidnetdirect.com/colorado>.

The BidNet website offers both “free” and “paying” registration options that allow for full access of the Town’s documents and for electronic submission. (Note: “free” registration may take up to 24 hours to process. Please plan accordingly.)

The Town does not guarantee accurate information obtained from sources other than BidNet.

In order to simplify the review process and obtain the maximum degree of comparability, the proposal must follow the outline described below, and at a minimum, contain the required information. Respondents are encouraged to include additional relevant information. Respondents must also include a signature page with company name, address, phone number, contact name, authorized signature and date. Each proposal shall be no more than a maximum of ten (10) pages, excluding any attached resumes or similar project summaries.

Experience

1. Understanding of the project
2. Ability to perform all aspects of the project
3. Relevant recent experience with comparable projects
4. Demonstrated experience and expertise of New Urbanist, form-based codes, land use, placemaking and activation
5. List of clients (2-5) for whom similar work has been done. Include contact name and phone number
6. Experience working with similar-sized municipalities

Qualifications

1. Key project staff and resumes
2. Ability to meet schedules within budget
3. Company resources

Fees

The proposal shall include a fee proposal with the following information in a separate sealed envelope as noted on the website:

1. A not-to-exceed fee for each phase of the Scope of Work
2. Staff-hour allocation and the dollar value of the time for each phase of

the Scope of Work. A subtotal of staff-hours and fees for each phase and category shall be provided

3. All anticipated expense items
4. An hourly rate fee schedule

Selection Process

The Town will evaluate all proposals received based on qualifications, overall best value, and approach. Upon review, Staff will recommend the most qualified applicant to the Board of Trustees. Finalists may be asked to make a presentation and interview with the selection committee. Sealed proposals will be evaluated for those short-listed companies and negotiations (if necessary) will begin with the chosen Contractor.

Selection and Performance Schedule

The following is the anticipated schedule of events for the RFP process:

Request for Proposal Available	June 8 th , 2022 by 12:00pm MST
Proposal Meeting	June 21 st , 2022 at 1:00pm MST
<i>For Microsoft Teams link, please email dbach@erieco.gov</i>	
Final Addendum (if needed)	June 24 th , 2022 by 5:00pm MST
Proposals Due	July 1 st , 2022 by 12:00pm MST
Selections and Negotiations Complete	July 27 th , 2022 by 5:00pm MST

**Town of Erie Urban Renewal Authority
Resolution No. 22-07**

**A Resolution of the Board of Commissioners of the Town of Erie
Urban Renewal Authority Approving the Payment of Funds to the
Town of Erie for the Preparation of the Erie Gateway Planned
Development from the Proposed I-25 Erie Gateway Urban
Renewal Plan Area**

Whereas, the Board of Commissioners finds that it is in the best interest of the Town and the public health, safety and welfare to approve a payment to the Town for the design and engineering services for preparation of the Erie Gateway Planned Development.

Now Therefore be it Resolved by the Board of Commissioners of the Town of Erie Urban Renewal Authority that:

Section 1. The payment of an amount not to exceed \$493,987 to the Town for the preparation of the Erie Gateway Planned Development for the proposed I-25 Erie Gateway Urban Renewal Plan Area is hereby authorized.

Adopted this 9th day of August, 2022.

Justin Brooks, Chair

Attest:

Debbie Stamp, Town Clerk

8/8/2022



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Urban Renewal Authority

Board Meeting Date: 8/9/2022

File #: 22-293, **Version:** 1

Subject:

A Resolution of the Board of Commissioners of the Town of Erie Urban Renewal Authority Adopting a Purchasing Policy

Department: Economic Development

Presenter(s): Julian Jacquin, Economic Development Director
Kendra Carberry, Town Attorney

Time Estimate: 5 minutes

Fiscal Summary: N/A

Staff Recommendation:

To review the information and approve the purchasing policy.

Summary and Background of Subject Matter:

The Town of Erie maintains its own internal policy to serve as a guideline for all the Town's purchasing activity, and to standardize procurement procedures. This policy was last updated by Town staff and approved by the Board of Trustees in November 2020. The Town of Erie Urban Renewal Authority (TOEURA) was established by the Board of Trustees in October 2011 but has not yet adopted its own purchasing policy.

This proposed draft policy was prepared by the Town Attorney and TOEURA Counsel, to closely follow the Town's adopted purchasing policy, with minor edits and changes.

Fiscal Impact: N/A

Board Priority(s) Addressed:

- ✓ Prosperous Economy
- ✓ Effective Governance
- ✓ Fiscally Responsible

Attachment(s):

1. Resolution 22-09

2. TOEURA Purchasing Policy

**Town of Erie Urban Renewal Authority
Resolution No. 22-09**

**A Resolution of the Board of Commissioners of the Town of Erie
Urban Renewal Authority Adopting a Purchasing Policy**

**Now Therefore be it Resolved by the Board of Commissioners of the
Town of Erie Urban Renewal Authority that:**

Section 1. The Town of Erie Urban Renewal Authority Purchasing Policy is hereby adopted in the form attached hereto.

Adopted this 9th day of August, 2022.

Justin Brooks, Chair

Attest:

Debbie Stamp, Town Clerk

Town of Erie Urban Renewal Authority Purchasing Policy

Section 1 – Policy Objectives

The purpose of this Policy is to serve as a guideline for all purchasing activity for TOEURA and to standardize procurement procedures.

Section 2 – General Procedures – Roles & Responsibilities

The Town's Finance Department is responsible for administering this Policy, including the following:

- Maintaining TOEURA's accounting system to ensure spending authorization limits pursuant to the approved budget and approval paths are current.
- Coordinating TOEURA's annual budget process so all departments request funding for purchases they anticipate making each year.
- Implementing procedures and training to help ensure TOEURA staff complies with this Policy.
- Issuing checks to vendors in a timely manner and maintain accounts payable records.
- Prescribing and maintaining such forms as are reasonable and necessary to implement and support the purchasing procedures in this Policy.

Section 3 – Approval Authority Levels

Approval authority is granted on an individual basis to the Town's employees as follows:

Initial Invoice/Registration Amount	Division Manager (1)	Department Director	Finance Director	Town Administrator/ Deputy Town Administrator	Board
\$5,000 or less	✓	n/a	n/a	n/a	n/a
\$5,000.01-\$25,000	n/a	✓	n/a	n/a	n/a
\$25, 000.01-\$50,000	n/a	✓	✓	n/a	n/a
\$50,000.01-\$100,000-	n/a	✓	✓	✓	n/a
Greater than \$100,000	n/a	✓	✓	✓	✓
✓ - approval level required					
<i>(1) Includes, deputy directors, division managers and staff in equivalent positions. Subject to approval by the Town Administrator or Finance Directors, other staff may also be designated by a Director with authority to approve invoices up to \$5,000.</i>					

Expenditure requests for unbudgeted funds and any requests in excess of \$100,000 must be approved by TOEURA's Board of Commissioners (the "Board").

No purchase shall be divided to circumvent the above approval levels. A contract for or planned series of purchases for the same product or service within a calendar year shall be treated as a single purchase.

Section 4 – Check Requests

Requirements for disbursement requests not related to a Purchase Order are as follows:

- Disbursement requests not requiring or related to a purchase order (requests not exceeding \$5,000) may be submitted directly to the Town's Finance Department for payment. Disbursements of this type may be submitted either using a properly completed and approved Check Request Form or by submitting the invoice using the Town's Finance Department-approved invoice stamp and providing the required information and approval. If all required information (vendor #, G/L coding, approval, etc.) is not included, the invoice/check request will be returned to the requestor.
- Employee expense reimbursements should generally be submitted on an Employee Expense Reimbursement Form, although a Check Request Form may be used if a single item is being reimbursed. Requests for reimbursement are to be approved by the employee's supervisor, and at least one individual with approval authority (which may be the supervisor). Requests for reimbursement by members of the Board do not require formal approval and should be submitted to the Town's Finance Director. Copies of reimbursement requests will be provided to all members of the Board.
- If documentation needs to be included with the check to be sent to the payee, make a copy and paperclip the documents to the check request for the Town's Finance Department to send to the vendor after the check is issued.
- Payments will not be made from beginning or past due balances or statements. If a vendor only provides statements, other appropriate documentation is to be provided supporting the charges to be paid.

Invoices Associated with Purchase Orders

General requirements for disbursement requests for invoices related to purchase orders include all the requirements as described above. Additional requirements for invoices associated with purchase orders are as follows:

- Appropriate approvals should be made on the invoice or check request form, with the purchase order number noted on the request. If there are multiple line items on the PO, the invoice should indicate the related line item. Additional approvals are not required for payments pursuant to a Purchase Order.
- If the request is a progress payment for a capital project, a Capital Progress Payment Form shall also be completed when appropriate and approved and included with other supporting documentation.
- If the payment request represents the final payment under a purchase order, it should be noted on the invoice that this is the final payment and that the purchase

order needs to be closed so that any remaining funds encumbered by the purchase order may be released.

Section 5 – Purchase Orders

A Purchase Order is required to purchase goods or services that total more than \$5,000. The term Purchase Order is used generically throughout this policy to include all service/maintenance agreements, construction agreements and any other type of agreements/expenditures for the purchase of goods/services in excess of \$5,000.

There are two types of purchase orders. A Blanket Purchase Order is a purchase order issued for repetitive purchases to be made from the same vendor over an extended period of time (not to exceed one year). Blanket Purchase Orders should be used (and identified in the accounting system) when there is a contract for good/services where the total amount is greater than \$5,000 within one year, even if it will be invoiced in increments less than \$5,000. A Standard Purchase Order is any purchase order that is not a Blanket Purchase Order.

Procedures for issuance of a purchase order are as follows:

- 1.) A Requisition is entered into the Town's accounting system, ensuring use of the appropriate budget line item and attaching supporting documentation.
- 2.) When entering the general ledger account number, the accounting system will indicate if adequate budgetary funds are available. If adequate funds are not available, a budget transfer request must be submitted to the Town's Finance Department before the Requisition will be approved. If the Requisition is pursuant to a previously approved Board resolution, a copy of the resolution should be attached to the Requisition.
- 3.) Authorized personnel shall review the Requisition. If all requirements are met, the Requisition will be approved in the accounting system.
- 4.) The accounting system will automatically route the department-approved Requisition to the Finance Director or designee for review and approval as appropriate and then to the Executive Director if required.
- 5.) Once all appropriate approvals have been obtained, the Finance Department will issue a Purchase Order through the accounting system. The amount of the purchase order will be Encumbered for the budget line item(s) to which the Requisition was posted.
- 6.) Purchases requiring approval by the Board should first be submitted to the Board via a board resolution. After receiving Board approval, the process described above can be initiated. Documentation showing Board approval should be attached to the Requisition in the accounting system. Documentation should include, at a minimum, the signed resolution and applicable contract.

Should a vendor require a purchase order for transactions of \$5,000 or less, a requisition may be entered to the accounting system and a purchase order will be issued.

Section 6 – Solicitation Thresholds and Competitive Bidding

The following thresholds will be used to determine whether informal quotes or formal competitive bidding is required:

- \$10,000 or less – informal quotes from at least two vendors are recommended, but not required. This can be accomplished via verbal or electronic requests.
- \$10,000.01 - \$100,000 – written quotes from at least two vendors are required. Requests can be made via mail, fax, or email. After evaluation of the quote responses, the reason for selecting a particular quote must be documented. If less than two quotes are obtained, valid justification must be documented for the sole-source purchase. For repetitive purchases within a calendar year, it is not necessary to obtain quotes with each purchase.
- Greater than \$100,000 – Formal competitive bidding is required.

For all purchases, the department acquiring the goods/services is responsible for maintaining the documentation associated with the solicitation or bids in its files in accordance with the records retention policy. The competitive bidding steps taken (based on the solicitation levels above) should be documented in the "Detailed Description" box on the requisition in the accounting system.

Section 7 – Cooperative Purchasing

TOEURA may use State of Colorado bids (solicited through the Bid Information and Distribution System), bids from the Multiple Assembly of Procurement Officials (MAPO) or the General Services Administration (GSA) to obtain the benefit of the pricing available through those procurement systems.

These bids are permitted for any supplies, equipment, or vehicle purchase on items under \$500,000. These purchases, while exempt from the formal bid process, are subject to the normal approval process.

Section 8 – Sole Source Purchases

Sole source purchases may be made if it has been determined that there is only one good or service that can reasonably meet the need and there is only one vendor who can provide the good or service and is in the best interest of TOEURA. Other reasons where it may be appropriate to make a sole source purchase could include previous related work performed for or products provided to TOEURA or where time constraints exist (e.g., emergency situations).

If the Requesting Department believes use of a sole source provider is appropriate, documentation supporting this decision shall be included with the requisition and approved by the Town department Director. This documentation is to be submitted to the Town Finance Director for review as an attachment in the accounting system or included in the detailed description of the requisition. If the Town Finance Director does

not approve a sole source purchase, the department will be required to go through the normal bidding process as described above.

Section 9 – Local Vendors

To encourage purchasing from within the Town, it is the policy of TOEURA to recognize and solicit quotes/bids from local vendors. Whenever such local sources exist and are competitive, purchases shall be made from local vendors; however, all purchasing ordinances and policies as well as any other award factors still apply. To be considered local, vendors must be appropriately licensed to conduct business within the Town. Past performance of vendors shall also be a consideration.

Section 10 – New Vendors & Changes

Departments wishing to do business with a new vendor shall provide the vendor with a New Vendor Packet, which includes information regarding TOEURA's purchasing process, a New Vendor Form, and a W-9 Form. Vendors must complete and return both the New Vendor Form and the W-9 Form. If the W-9 is not provided to the Town's Finance department, the request will be returned to the person making the request. The Town's Finance department staff will attach the New Vendor Form and the W9 to the vendor record in the accounting system.

Any changes to remittance address, contact information, or similar changes to vendor information should be made using the Vendor Maintenance Form. The vendor should indicate on the form the information changing (both the old and new information). Town Finance department staff will be responsible for verifying the changes using an original contact person and phone number from the Town's records, documenting the action and attaching it to the vendor record in the accounting system at the time the change is made.

Section 11 – Purchase Order Change Orders

A Purchase Order Change Order is any increase or decrease in the approved amount of a previously issued Purchase Order. For change orders that increase the amount of a Purchase Order, the same required approval levels are applicable.

Additionally, if the change order increases the dollar amount of the Purchase Order as amended above the approval level of the original purchase order, additional approval may be required based on Section 3 and as determined by the Town's Finance Director.

Section 12 – Contract Terms/Town Attorney Review

All contracts and services agreements must be reviewed by TOEURA's general counsel. Generally, all contracts and service agreements should use the Town or TOEURA's standard form. Exceptions can only be approved by TOEURA's general counsel.

Extensions or renewals of a services agreement previously approved by the Board do not require approvals of the extensions or renewals, as long as the original agreement

included provisions outlining the terms of the extension or renewal, and necessary amounts have been appropriated by the Board.

Directors may execute contracts with contractual commitments up to their approval authority. All other contracts are to be signed by the Town Administrator or designee, unless specifically approved by the Board. When associated with a PO, contracts should be attached to the requisition in the accounting system.

Section 13 – Professional Services

Professional services include architectural, engineering, financial, legal, consulting or other similar services. Requests for Proposal, Requests for Qualifications or a similar process are typically used to solicit professional services. Evaluation of responses to such requests should consider whether the respondent:

- Possesses adequate technical and financial resources to perform the project or services or the ability to obtain the resources required for performance;
- Possesses necessary experience, organization and technical skills in the relevant fields or the ability to obtain them, including without limitation arrangements with subcontractors;
- Proposes a reasonable approach to achieve the project or service objectives in an acceptable timeframe;
- Has a satisfactory record of performance in developing and implementing similar projects or providing similar services in other jurisdictions; and
- Will perform the project or services at a reasonable cost compared with the level of effort expended.

Written justification for the service provider selected shall be attached to the purchase requisition. Approval of professional services are subject to the same approval thresholds and processes as any other expenditure.

Section 14 – Real Estate Acquisitions

All purchases of real estate or similar interests are to be approved by the Town Administrator and the Board. Purchases of real estate fall into two categories – open space purchases and all other real estate purchases.

Real Estate Purchases – General procedures for the purchase of real estate include the following:

- Potential purchases of other real estate will generally be initiated upon the recommendation of the Executive Director.
- Under the direction of the Executive Director, TOEURA/Town staff will conduct a review of the parcel to determine its suitability for the intended purpose and estimates of its fair market value. Consultants may be utilized to assist in this review.
- TOEURA/Town staff will obtain an appraisal of the property.

- A written report will be prepared and presented to the Board, documenting the results of the review described above, including the appraisal, and staff's recommendation. If the Board agrees with the recommendation, staff will be directed to conduct negotiations for purchase of the property.

Section 15 – Sales Tax

Sales tax is not to be charged on any purchase by TOEURA. TOEURA's Colorado tax-exempt number is 98-04943-0000 and should be given to the vendor before the sale is completed. A copy of the Town's tax-exempt certificate is available on Sharepoint.

Section 16 – Emergency Procurement

Notwithstanding any other provision of this policy, the Executive Director may make or authorize others to make emergency procurement when there exists a threat to public health, welfare, or safety under emergency conditions. The required purchasing procedures stipulated in other areas of this policy may be waived for emergency purchases where necessary. A written determination of the basis for emergency and for the purchase or selection of the particular vendor or contractor shall be included with the purchase documentation. A summary of all emergency purchases shall be submitted for review by the Board at the earliest meeting possible if in excess of \$100,000.

Section 17 – Audit Procedures

Periodically, Town Finance staff will review samples of requisitions/purchase orders, check requests, new vendor requests and remittance address changes to ensure that TOEURA is complying with policy. Errors/violations of policy will be communicated to the Town's Finance Director and department directors, as appropriate, in addition to communicating with the responsible staff. Additional training will be provided or other appropriate actions taken as required.

Section 18 – Ethical Responsibilities

TOEURA officers must comply with the Town's Code of Ethics (Erie Municipal Code, Title 1 Chapter 7), and applicable federal and state law in the purchasing process. In addition, the Town's Administrative Policies and Procedures handbook includes ethics requirements in Section I.E. Among other requirements, these rules govern conflicts of interest, acceptance of gifts, and treatment of confidential information. All individuals involved in the purchasing process shall ensure they are in compliance with these requirements.

Section 19 – Amendments to Policy

Amendments to this policy shall be approved by the Board.

Section 20 – Definitions

Capital Expenditure – An expenditure that results in the acquisition of or addition to fixed assets. Examples of fixed assets include streets, sidewalks, water or wastewater

facilities, flood control facilities, traffic control devices, street lighting, parks, public structures, vehicles, certain equipment and real estate purchases. Capital assets have a useful life greater than one year.

Cooperative Purchasing – Cooperative purchasing involves sharing procurement contracts between governments. Cooperative procurement contracts are usually based on the common requirements of multiple governments. There are several types of cooperative purchasing arrangements, but the type TOEURA will use the majority of the time will be so-called "piggyback options". These occur when one or more organizations represent their requirements and include an option for other organizations to "ride" or "bridge" the contract as awarded.

Emergency Conditions – Situations in which the health, welfare, or safety of employees or the public are endangered. This includes those instances when immediate repair to TOEURA property, equipment, or vehicles is necessary under the circumstances mentioned above, as well as federal, state or locally declared disasters.

Encumbered – Budgeted funds that are committed and reserved but not yet expended for the purchase of a specific good or service.

Non-capital Expenditure – Any expenditure that is not a Capital Expenditure.

Petty Cash Fund Administrator – Employee responsible for administering a petty cash fund.

Request for Proposals (RFP) – A process used to acquire supplies and services that involves the review of written proposals and the use of negotiations with the most qualified bidder(s). This process may also include the use of a Request for Qualifications (RFQ) as a preliminary step to the RFP process in an attempt to gather information and pre-qualify prospective bidders.

Request for Qualifications (RFQ) – A process used to identify qualified providers of specified services to be used in the RFP process.

Requesting Department – The department asking to purchase goods or services to be used for TOEURA business.

Requisition – Process within the Town's accounting system to initiate the issuance of a Purchase Order.

Sole Source Purchase – A procurement of goods or services that can only be obtained from a single supplier capable of meeting all specifications and purchase requirements or when it is in TOEURA's best interests.