

**A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE  
COMPREHENSIVE UPDATE OF THE CITY OF COMMERCE CITY LAND  
DEVELOPMENT CODE TO KENDIG KEAST COLLABORATIVE, INC.  
NO. 2022-87**

WHEREAS, the City of Commerce City (“City”) adopted the City of Commerce Land Development Code (“LDC”), effective March 1, 2009, by Ordinance 1720 and has amended the same from time to time;

WHEREAS, in the preceding years the City has grown in size and complexity making necessary the need for a comprehensive rewrite of the LDC to address not only the City’s growth, but also trends in development, changes in development practices, and changes in the law, that have occurred on a national, regional, and local level;

WHEREAS, the City has engaged in a formal competitive public solicitation process consistent with applicable requirements to select a vendor to review, analyze, diagnose, and draft a new land development code including the management of all associated processes (the “Project”);

WHEREAS, after reviewing all proposals, and after interviews with two of the firms who submitted proposals, City staff has determined that Kendig Keast Collaborative Inc. is the most appropriate vendor to complete the Project; and

WHEREAS, the cost to the City of the Project will exceed \$250,000, and pursuant to the City’s procurement policies and the City Manager’s commitment to the City Council, the City Council must approve any procurement in excess of \$250,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

**SECTION 1. Findings.** The recitals to this resolution are incorporated as findings of the City Council. This resolution is found to be necessary for the preservation of public health, safety, and welfare and in the public interest.

**SECTION 2. Approval of Selection.** The selection of Kendig Keast Collaborative Inc. is hereby approved subject to the successful finalization of an appropriate contract on terms acceptable to the City Manager. This resolution shall not be deemed to grant any right or interest in the award of a contract to Kendig Keast Collaborative Inc. All rights and interests shall be defined exclusively by the terms and conditions set forth in a written contract.

**SECTION 3. Authorization to Negotiate.** The City Manager is hereby authorized to negotiate and finalize the details of a contract with the approved vendor, including a final scope of work, pricing, and payment terms, consistent with the Project’s goals and deliverables.

**SECTION 4. Execution and Attestation.** Upon successful finalization of the contract and approval as to form by the City Attorney, the City Manager is hereby authorized to execute, and the City Clerk to attest, the contract on behalf of the City.

RESOLVED AND PASSED THIS 19TH DAY OF SEPTEMBER 2022.

CITY OF COMMERCE CITY, COLORADO

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Benjamin A. Huseman, Mayor

ATTEST

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Dylan A. Gibson, City Clerk