

**A RESOLUTION AUTHORIZING THE SECOND AMENDMENT TO  
PROFESSIONAL SERVICES AGREEMENT WITH LOTUS  
ENGINEERING AND SUSTAINABILITY, LLC TO PROVIDE  
SUSTAINABILITY SERVICES**

**NO. 2023-065**

WHEREAS, The City of Commerce City (“City”), had conducted a competitive procurement process through a Request for Proposals;

WHEREAS, the City of Commerce City selected and has contracted since March of 2021 with Lotus Engineering and Sustainability (Lotus) to provide sustainability services to the Department of Community Development;

WHEREAS, the first amendment agreement with Lotus expired on May 30, 2023, and Council has requested additional services;

WHEREAS, the Lotus agreement limited expenditures by the City to no more than \$399,409;

WHEREAS, the City desires to expand the scope of the services previously provided by Lotus , such as (1) low-impact development training; (2) challenge calculation and cards; (3) continuing to support EPAC and community meetings and events related to policies outlined in the Sustainability Action Plan; (4) grant support for the Energy Efficiency Community Block Grant; Pollution Prevention and Environmental Justice grant proposals; (5) Project Management; (6) sustainability communication to reflect the council’s desire to implement new developmental policies.

WHEREAS, the City wishes to extend the contract term through December 31, 2023;

WHEREAS, money allocated for the 2022 Contract in the amount of \$38,143.14 is available to fund this amendment; and

WHEREAS, the City desires to complete the six additional tasks using the existing funds.

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 in the public interest.

**SECTION 2. Approval of Selection; Contract Authorization.** The selection of Lotus Engineering, LLC, to continue its services by extending the term of the current agreement through December 31, 2023, and adding six additional tasks as set forth in Exhibit A, attached hereto and incorporated herein by reference, is approved subject to the successful negotiation and execution of all necessary documents with the City, at a total cost not to exceed an additional \$38,143.14.

**SECTION 3.** This resolution shall not be deemed to grant any right to or interest in the award of a contract to Lotus until the written execution of a written contract acceptable to the City Manager. Upon successful finalization of the contract amendment 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 amendment on behalf of the City.

RESOLVED AND PASSED THIS 24TH DAY OF JULY 2023.

CITY OF COMMERCE CITY, COLORADO

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Benjamin A. Huseman, Mayor

ATTEST

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Dylan A. Gibson, City Clerk