

**RESOLUTION APPROVING SELECTION OF LOTUS ENGINEERING &
SUSTAINABILITY TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES
TO THE CITY**

NO. 2021-07

WHEREAS, the City of Commerce City recognizes that actions taken at the municipal level to address community wide energy efficiency and energy reduction strategies, greenhouse gas reduction strategies, water use reduction strategies, and long term water quality management strategies may have significant impacts on environmental quality at both a local and regional level;

WHEREAS, local governments can lead by example by adopting practices and incorporating these strategies into both their municipal operations, and community wide land use policies, strategies, and regulations;

WHEREAS, incorporation of such strategies exercises the City's delegated authority under the Tenth Amendment to the United States Constitution to further the health, safety, general welfare, and environmental quality for its citizens;

WHEREAS, the development of local air quality guidelines and the establishment of a community wide air monitoring plan will lead to increased transparency with Commerce City residents and the general public with regard to air quality in the local community, the presence of potentially harmful pollutants and whether such pollutants exist at thresholds that are known to have adverse acute or long term impacts to human health, and analysis of contributing point source and nonpoint sources, and potential policies that can be implemented by the City to improve air quality and health outcomes;

WHEREAS, it is acknowledged that long standing systemic inequities have resulted in low income, racial, and ethnic minority groups being disproportionately impacted by exposure to negative environmental consequences resulting from industrial and commercial operations, and placing an emphasis on increased community engagement with environmental justice communities in the development of community wide policies, strategies, and regulations around improving environmental quality is critical to ensure that no individual shares an undue burden or impact based on race, color, national origin or income;

WHEREAS, on August 31, 2020, City Council directed staff to explore the development of a community wide air quality monitoring and water quality network in the City, and in response the City issued RFP #CD-02-2020, in order to solicit proposals from qualified vendors to provide Environmental Policy Development, Air Quality Monitoring Services, and Water Quality Monitoring Services for the City ("Services");

WHEREAS, following a formal procurement process per the City's Procurement Policy, the City desires to retain Lotus Engineering & Sustainability ("Contractor") to conduct the requested services for the City;

WHEREAS, funding for this request is available through Commerce City's General Fund;

WHEREAS, the anticipated costs to the City of this contract is in an amount that will exceeds \$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:

1. The selection of Contractor to provide the Services is found to be in the best interest of the City and is hereby approved;
2. The City Manager or his designee is authorized to negotiate an agreement with the Contractor to provide the Services, generally as set forth in RFP #CD-02-2020, and in an amount not to exceed \$376,859.58, without further approval of the City Council. Upon successful finalization of agreement and approval as to form by the City Attorney, the City Manager is authorized to execute, and the City Clerk to attest, the agreement on behalf of the City.

RESOLVED AND PASSED THIS 1ST DAY OF MARCH, 2021

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk