

**A RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT WITH LOTUS
ENGINEERING AND SUSTAINABILITY FOR GRANT WRITING SERVICES**

NO. 2024-137

WHEREAS, the City of Commerce City (“City”), conducted a competitive procurement process through a Request for Proposals for grant writing services in the Fall 2023;

WHEREAS, the City selected and contracted with Lotus Engineering and Sustainability (“Lotus”) in January 2024 to provide grant writing services focused on sustainability and environmental efforts (“Services”);

WHEREAS, the agreement with Lotus expires on December 31, 2024 and authorizes limited expenditures of \$100,000;

WHEREAS, the City Council has allocated \$1,000,000 in American Rescue Plan Act (ARPA) funding to grant writing services that must be expended by December 31, 2026; and

WHEREAS, the City wishes to extend the contract with Lotus through December 31, 2026 and increase the not-to-exceed value to \$300,000 for grant writing services, which will now result in more than \$250,000 in costs to the City, 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 the public health, safety, and welfare and in the public interest.

SECTION 2. Award of Contract. The award of the contract amendment for the Services to Lotus is hereby approved subject to 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 Lotus. All rights and interests shall be defined exclusively by the terms and conditions set forth in the written contract.

SECTION 3. The City Manager is hereby authorized to negotiate and finalize the details of a contract amendment with Lotus, including final pricing and payment terms, consistent the services agreement with Lotus.

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

RESOLVED AND PASSED THIS 25TH DAY OF NOVEMBER 2024.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk