

# **REQUEST FOR PROPOSAL (RFP)**

**RFP No. 232-25**

**CITY CODE CONSULTANT**

**Purchasing Analyst of Record: Andrew Miskell, CPPB**

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**SECTION A: SCHEDULE, PURCHASING ANALYST OF RECORD, AND GENERAL SUMMARY OF NEEDS****A.1 SCHEDULE OF EVENTS:**

The following is a list of important items, dates, and times that pertain to this solicitation. All times listed below are in reference to the local Thornton, Colorado time.

<u>Solicitation Item</u>	<u>Date</u>	<u>Time</u>
<b>Proposal Issued</b>	<b>June 5, 2025</b>	
<b>Deadline to Submit Additional Questions</b>	<b>June 16, 2025</b>	<b>11:00 P.M.</b>
<b>Response to Written Questions</b>	<b>June 18, 2025</b>	
<b>Proposal Due Date</b>	<b>June 30, 2025</b>	<b>11:00 P.M.</b>

**A.2 PURCHASING ANALYST OF RECORD:**

The Purchasing Analyst of Record for this solicitation will be the central point of contact throughout the solicitation process. All questions and inquiries must be submitted in writing via a direct email to the Purchasing Analyst. No communication is to be directed to any other Thornton personnel.

The Purchasing Analyst of Record's contact information is as follows:

Name: **Andrew Miskell, CPPB**  
Title: **Purchasing Manager**  
Email: [Andrew.Miskell@ThorntonCO.gov](mailto:Andrew.Miskell@ThorntonCO.gov)

**A.3 GENERAL SUMMARY OF PROCUREMENT NEEDS:**

The City of Thornton, CO ("Thornton") is seeking Proposals from interested firms for the purchase of consulting services for Thornton's City Development Department for the consultant to review, and aid in the implementation of revised and/or new land use development code amendments, with a focus on affordable housing.

## **SECTION B: CURRENT STATE, SCOPE OF WORK, AND SPECIAL CONSIDERATIONS**

### **B.1 CURRENT STATE:**

The City of Thornton, Colorado is a home-rule city of approximately 153,000+ citizens located northeast of Denver in Adams County, and is currently forecasted to reach a population of up to 205,000 by 2040. Thornton currently has approximately one thousand two hundred (1,200) total regular employees that span across over eight (8) different departments. Included within these departments, is Thornton's City Development Department, which is responsible for a variety of functions, including but not limited to: Building inspections, code enforcement, zoning & planning, permitting, etc.

In 2024, Thornton was awarded a Local Planning Capacity Grant from the Colorado Department of Local Affairs (DOLA) that is to be used to expedite the review and approval of affordable housing projects within the Thornton city limits. As part of this grant, Thornton is seeking a qualified consultant to aid Thornton in reviewing ways to streamline the review of affordable housing developments.

Thornton would seek for the consultant to aid Thornton with reviewing, adopting, and aiding in the implementation of land use development code amendments for Thornton that expedite these reviews for fast tracking affordable housing developments. This need has arisen due to the enactment of the State of Colorado's Proposition 123. The grant award from DOLA has a current expiration of December 31, 2026, for the work and funding to have been completed and fully paid out to the awarded Vendor.

### **B.2 GOALS FROM THIS RFP:**

Thornton's desired outcome from this RFP is to find a Vendor that can meet or exceed our goals as a development consultant. These main goals include, but are not limited to:

- 1) The ability to provide project management and coordination of this project to its successful completion and adoption of revising Thornton's Development Code.
- 2) Ability to conduct a thorough analysis of Thornton's Development Code surrounding the review of affordable housing developments.
- 3) Providing guidance and recommendations on Thornton's Development Code for streamlining reviews and fast-tracking affordable housing developments.
- 4) Providing presentations of recommendations to various Thornton and other governmental personnel, including but not limited to Thornton's City Manager, City Council, and the Planning Commission.

**B.3 BUDGETARY REQUIREMENTS:**

Thornton has a current budget for this project of one hundred thousand dollars (\$100,000.00). At Thornton's sole discretion, Thornton may elect to utilize the awarded Vendor from this solicitation for additional consultation work on reviewing and implementation of additional City Development codes and ordinances as future work. Any future work considerations shall be subject to annual funding appropriations review and approval by the Thornton City Council.

**B.4 AWARD LENGTH:**

The initial award term from this solicitation will be from the date of the final signature of the Agreement, until **December 31, 2026**, to coincide with the expiration of the grant funding. The Agreement may be extended up to an additional three (3) years, with a final expiration date of **December 31, 2029**, upon mutual agreement by both Parties.

No further extensions or renewals shall pass this date for service from the awarded Vendor, unless otherwise previously authorized in writing by the Thornton Purchasing Division.

**B.5 SCOPE OF WORK – GENERAL CONSIDERATIONS:**

As previously mentioned, Thornton is seeking a qualified consultant to explore, adopt, and implement land use development code amendments that seek to expedite review of affordable housing projects, implement lean process improvements that will streamline review of affordable housing in light of the State of Colorado Proposition 123 requirements for fast tracking affordable housing developments.

Thornton's desire is for this project to be completed within a six (6) month period, following the signing of an agreement with Thornton. The following subsections of Section B will list Thornton's general expectations of what an awarded Vendor will be asked to perform and achieve during their work for Thornton.

Proposing Vendors will also be required to respond the series of questions listed in Section C – Proposal Questions to Prospective Vendors. Answers provided by a proposing Vendor from Section C, clarification responses, and/or interview responses may be incorporated into the final agreement with Thornton.

**B.6 PROJECT MEETINGS:**

The awarded Vendor will be expected to attend and manage the meetings for this project, including but not limited to the sharing and collection of information, development of meeting materials and handouts, graphic illustrations, preparing and disseminating meeting notes, preparing presentations, reports, and recommendations for different Thornton groups of personnel.

Thornton's expectation is for the awarded Vendor to attend both in-person and virtual meetings, with the meeting style to be dependent on the audience and material to be

discussed. Thornton is generally flexible with a meeting's format (in-person or virtual), however, Thornton may require certain meetings to be in-person meetings, which these initially know in-person meetings have been denoted in parenthesis below. Proposing Vendors are **highly encouraged** to address how they would meet Thornton's needs and what their recommendations are for each meeting type in their proposal responses.

Vendors should be prepared to have at least the following meeting types:

- Kick-off and orientation meeting with Thornton staff
- Weekly, or as determined by Thornton, project coordination meetings with Thornton staff and other governmental or related invitees.
- Legal review meetings with representatives from Thornton's City Attorneys Office (CAO), as required to code changes.
- Project review meetings with Thornton's City Manager.
- Stakeholder and public outreach meetings and interviews.
  - This may include homebuilders, developers, urban design professionals, and other technical experts.
- Planning Commission meetings with presentations to discuss the Vendor's recommendations. Closed to the public.
- Thornton City Council Planning Session(s) for discussion on recommendations and presentation of findings (in-person)
- Attendance and participation in a Planning Commission public hearing regarding the adoption of the updated Development Code. (In-person and anticipated as one (1) meeting).
- Attendance and participation in the Thornton City Council public hearing regarding the adoption of the updated Development Code. (In-person, minimum attendance for the first of two readings, with attendance possible for the second of two (2) readings as a virtual option.)

Upon completion of each meeting with Thornton, the Vendor will create a meeting summary and disseminate (email) that summary to those Thornton individuals who were in attendance of the meeting and to the Thornton Project Manager. This requirement is to ensure that there is minimal miscommunication between both Parties during this project.

## **B.7 PROJECT WEBSITE:**

On the onset of the project, the Vendor will design an interactive Project Website that the City will host on Thornton's existing website that will include content to educate and inform the community, clarify the relationship between the Housing Needs Assessment, City's 2025 Development Code, City's Comprehensive Plan and zoning, an online questionnaire, and post draft documents, memos depicting major code changes in simplified language, and diagrams. The website will provide information in English and Spanish.

The consultant will provide content and the City staff will review for approval, all text and documents, and post prior to being posted on the site. While Thornton will be responsible for the final review and posting of content, the Consultant should be creating content that adheres

to the State of Colorado's Anti-Discrimination Act ("CADA") regarding the requirement of meeting or exceeding the current Website Content Accessibility Guidelines ("WCAG") version 2.1 AA standard. The State of Colorado has put their Office of Information and Technology ("OIT") in charge of developing and distributing the standards for this compliance.

Proposing Vendors are to note that Thornton does not govern or have oversight over these requirements. For more information on the CADA and WCAG 2.1 guidelines, please follow this hyperlink to the State of Colorado's Office of Information Technology website: <https://oit.colorado.gov/hb21-1110-faq>

## **B.8 COMMUNITY ENGAGEMENT:**

Thornton has the expectation that the awarded Vendor will facilitate no less than three (3) stakeholder and public outreach meetings/interviews with local homebuilders, developers, urban design professionals and other technical experts from the general public and Thornton boards and commissions. These outreach events are expected to gather input and perspectives on various topics for the Vendor to take back and put into their recommendations for Thornton. Thornton expects that the awarded Vendor will compile this information into an easily readable report for Thornton personnel to review the results.

For these outreach events, the Vendor will be expected to prepare relevant exhibits, handouts, and other materials necessary for each event. Thornton will provide the location of each event, the printing services required for any printed materials associated with the outreach events, and the interpretation services. The Vendor and Thornton will work together to coordinate with interpreters prior to each outreach event.

For each outreach event, the Vendor will prepare and design the outreach notice materials and content for use in Thornton's newsletters, postcards, and other publications. Thornton will add the content and material to the project website and social media outlets used by Thornton. All outreach materials will provide topical information in a simplified and conceptual nature and must be designed for easy translation into Spanish, including any graphics. Thornton's personnel will be responsible for the translation of all specified outreach materials into Spanish.

Thornton is also desirous of the Vendor creating an online questionnaire that would be posted on the Project Website for Thornton residents and stakeholders (e.g., developers, etc.) to provide feedback and answers on this project and what they may want to see as a result from this project. Thornton may seek for the Vendor to also include QR codes that link an interested person to the Project Website with QR codes to be included on posters, flyers, handouts, press release, etc.

Thornton will be solely responsible for the final approval of publication, mailing and printed materials, and social media posting content. The Vendor shall be required to have Thornton's written approval prior to dissemination of information to the general public or other governmental personnel and commissions.

**B.9 DRAFT AND FINAL DEVELOPMENT CODE:**

Based on the results of the outreach events, community engagements, Thornton personnel and other governmental personnel/commissions interviews, the Vendor shall draft and prepare a Revised Development Code for Thornton's review. Upon written approval by Thornton, the Vendor shall then move through the final portions of this project, including but not limited to multiple presentations with the Thornton City Council and Planning Commission for public hearings. The tasks and deliverables that fall under these milestones may be adjusted during final contract negotiations and review of a proposing Vendor's submission of their proposal.

**B.10 THORNTON DESIRED MILESTONES AND DELIVERABLES:**

Thornton's initial set of desired milestones and project tasks for deliverables are as follows:

- Milestone # 1 – Project Initiation:
  - Task # 1.1 – Kick-off Meeting and Orientation “Tour” of Thornton.
    - This task includes the following subtasks:
      - Subtask # 1.1.1 – Review the project scope of work
      - Subtask # 1.1.2 – Review project goals, timeline, and key deliverables.
      - Subtask # 1.1.3 – Review potential issues or areas of concern.
      - Subtask # 1.1.4 – Review Administrative procedures.
      - Subtask # 1.1.5 – Clarify any outstanding matters.
  - Task # 1.2 – City Council and Planning Commission Meetings
    - This task includes the following subtasks:
      - Subtask # 1.2.1 – Facilitation of a meeting with Thornton's City Council to solicit their concerns and aspirations for fast-tracking affordable housing development applications and permits.
      - Subtask # 1.2.2 - Facilitation of a meeting with the Planning Commission to solicit their concerns and aspirations for fast-tracking affordable housing development applications and permits.
- Milestone # 2 – Community Engagement
  - Task # 2.1 – Drafting of Project website content
  - Task # 2.2 – Online Community Questionnaire – Preparation of the online questionnaire and posting to the Project Website.
  - Task # 2.3 – Communications Campaign – Continuous during this milestone and outreach events.
  - Task # 2.4 – Community Engagement Takeaways Summary – Final report of Vendor findings from outreach events, with an electronic copy of the report provided to the Thornton Project Manager.

- Milestone # 3 – Draft of Revised Development Code
  - Task # 3.1 – Drafting of Development Code Document – Vendor prepares a draft Code amendment document with incorporation of feedback received from various sources. Draft shall include the revisions made from existing code as Tracked Changes.
  - Task # 3.2 – Thornton Staff Review and Approval of Vendor drafted Code document, with up to five (5) review calls with Thornton staff prior to presentation to Thornton City Council and Planning Commission.
  - Task # 3.3 – Informational Brochure – Vendor will prepare an informational brochure for dissemination by Thornton. Brochure will include FAQs, an overview of the Code amendment process, where the public can learn more and provide feedback, etc.
  - Task # 3.4 – Revised Development Code Document – Prior to City Council and Planning Commission working sessions, the Vendor shall provide to Thornton staff a revised Development Code document that has incorporated the most recent changes and updates to the document.
  - Task # 3.5 – Working Sessions – The Vendor will attend the Thornton City Council and Planning Commission sessions in-person to review and provide direction on the draft documents. Vendor will prepare and provide all formal presentation documents (e.g., PowerPoint, handouts, etc.) with prior written approval by Thornton staff prior to presentation.
  - Task # 3.6 – Community Open Houses – The Vendor will be in-person to attend no less than two (2) community open house events for resident and community stakeholder feedback. At Thornton’s sole discretion, the in-person open house event may be shifted to a virtual open house event.
  
- Milestone # 4 – Finalization of Revised Development Code
  - Task # 4.1 – Final Legal Review – The Vendor shall submit their final recommendations and Development Code verbiage to the Thornton staff for staff to submit the documentation to Thornton’s City Attorneys Office (CAO). Additional revisions may be required dependent on the CAO’s review.
  - Task # 4.2 – Final Revised Development Code Document – Upon final review by the CAO, the Vendor will provide to Thornton a final, clean and editable copy of the document to the Thornton Project Manager prior to public hearings held by City Council and the Planning Commission.
  - Task # 4.3 – Public Hearings and City Council Presentation
    - Subtask # 4.3.1 – The Vendor will present the final Code amendments to the Planning Commission during a public hearing, including the preparation of all formal presentation documents. Typically, submittal of documentation to the Commission must be done at least four (4) weeks prior to the hearing date.
    - Subtask # 4.3.2 – The Vendor will present the final Code amendments to the Thornton City Council for consideration and adoption during an open forum. Typically, submittal of documentation to the City Council must be done at least four (4) weeks prior to the hearing date.

- Task # 4.4 – Final Land Development Code Document – Following the adoption of the Code amendments, the Vendor shall provide to the Thornton Project Manager, a final copy of the Code documents that are in an electronic format that is editable and in a format that can be uploaded by Thornton to MuniCode for viewing.

**B.11 F.O.B. POINT:**

Thornton does not anticipate any physical goods pertaining to this request, however, should any physical reports or in-person meetings be required, the Vendor's prices quoted shall be F.O.B. Destination and delivered, as required, to the following points:

**Thornton City Hall  
9500 Civic Center Drive  
Thornton, CO 80229  
Attention: City Development**

**B.12 PREVIOUS WORK SAMPLES:**

Upon request, vendors are required to furnish a sample of previous work/reports provided to other clients, which are to be supplied at no cost to Thornton. Any sample submitted shall create an express warranty that the whole of the goods and/or services shall conform to the sample submitted. Thornton will not return any samples to the proposing Vendor at the conclusion of this solicitation.

**B.13 DEMONSTRATIONS AND INTERVIEWS:**

Thornton reserves the right to review a Vendor's proposed solution that would be on hand or in the field of use. The proposed solution may be viewed at Thornton's sole discretion virtually or at a physical Thornton facility. It will be at Thornton's sole discretion if a demonstration is deemed to be necessary during the evaluation phase of this solicitation.

In addition to demonstrations, Thornton may also elect to conduct Vendor interviews in order to clarify and answer additional questions. All interviews will be held at a physical/virtual location at Thornton's sole discretion and shall be at Thornton's decision if an interview is deemed as being necessary.

Thornton shall not compensate a proposing Vendor for any costs incurred by a Vendor that are related to a demonstration or interview conducted by Thornton during this RFP process.

**B.14 INVOICING REQUIREMENTS:**

Thornton's Accounts Payable Division is the only division within Thornton that issues payments to Vendors who have submitted invoices. Thornton only issues payments from invoices and will not issue payments to Vendors off of quotes.

Thornton's standard payment terms are net thirty (30) calendar days after receipt of an invoice. All invoices submitted shall be emailed to [AP.Invoices@ThorntonCO.gov](mailto:AP.Invoices@ThorntonCO.gov). In lieu of email, physical copies may be submitted to City of Thornton – Accounts Payable, 9500 Civic Center Drive, Thornton, CO 80229-4326. Invoices sent to anyone other than Accounts Payable are not considered to be properly submitted and will not be paid until they are properly submitted.

**B.15 FUTURE WORK CONSIDERATIONS AND PROCEDURES:**

The Agreement that results from this solicitation with the awarded Vendor shall serve as the basis for the agreed upon terms and conditions and general expectations for all projects under this award. For future work where funding has been appropriated by Thornton's City Council, will likely follow the general process below between the awarded Vendor and Thornton:

- 1) An initial needs assessment and design meeting with the Thornton PM personnel that is assigned to the project, and the Vendor personnel.
- 2) An initial Vendor recommendation and quoted SOW with pricing that reflects the agreement's pricing structure and requirements that is to be sent to the Thornton PM for review.
  - a) Each Scope of Work shall contain at a minimum:
    - i) Detailed line-item pricing with units, descriptions, quantities, estimated labor hours, etc.;
    - ii) Confirmation of the agreement's pricing structure having been utilized;
    - iii) Project schedule;
    - iv) Milestone payments with detailed Scope of Work deliverables under each milestone payment; and
    - v) Any additional special considerations regarding the job environment.

(1) Note, it is at this stage that the PM and the Vendor may have revisions of the Scope of Work, pricing, and any required documentation to reach a final fulfillment of Thornton's needs.
- 3) Once the Thornton PM finds the quote satisfactory, the Thornton PM will enter a requisition into Thornton's financial system for the finalized Scope of Work and pricing, which will flow to a Contracts/Purchasing Analyst in the Contracts and Purchasing Division for review.
- 4) Upon review and approval from Contracts and Purchasing Division, the Purchasing Analyst will coordinate with the Vendor to execute a signed Change Order Form.

- 5) Once the Change Order Form has been fully executed, the Purchasing Analyst will then create a Purchase Order based upon the finalized Scope of Work and pricing, which the Analyst will disseminate to the Vendor and the PM.
  - a) Once the Purchase Order has been issued and disseminated, the work may then proceed between the Vendor and the Thornton PM.

**B.16 VENDOR PERFORMANCE MANAGEMENT:**

Thornton may administer a Vendor performance management program as part of this proposal and resulting agreement. The purpose of this program is to create a method for documenting and advising Thornton of exceptional performance or any problems related to the purchased goods and services.

**The remainder of this page has been left blank intentionally.**

**SECTION C: PROPOSAL QUESTIONS TO PROSPECTIVE VENDOR****C.1 INSTRUCTIONS FOR ANSWERING QUESTIONS:**

Your proposal's response must specifically address each of the questions/issues that are listed within this RFP. The **quality and detail** of your responses, along with how closely your firm can meet or exceed Thornton's Scope of Work expectations from Section B, will be considered in the overall evaluation of your proposal. Proposers are encouraged to give examples and provide comprehensive information to support your compliance on each point.

All answers provided by the awarded Vendor may be incorporated into the final agreement between the Vendor and Thornton as an additional exhibit or as part of a finalized Scope of Work.

**C.2 PROPOSAL QUESTIONS:**

To standardize the format of all proposals for evaluation, Proposers are required to respond to all questions **in the order given** and to list the item number and restate the question prior to giving their answer. Failure to comply with this requirement may result in your proposal being declared non-responsive.

**A. GENERAL VENDOR QUESTIONS:****1) General Vendor Summary**

Please provide a brief description of the following:

- a) Full legal company name;
- b) Your headquarters address;
- c) Primary company contact including name, phone number, and email address;
- d) The year your firm was established;
- e) A brief listing of your Vendor core competencies; and
- f) A current copy of your firm's W-9 (IRS version October 2018).

**B. EXPERIENCE AND REFERENCES:****1) Experience**

Please provide a brief narrative, preferably two (2) pages or less, on your experience and your expertise surrounding an ability to review and provide review and

recommendations for municipalities on code development, specifically housing development and affordable housing development codes.

## 2) References

Please provide five (5) current client references that you have sold and implemented the same or like solutions to in the past ten (10) years. Of these references, please list as many as available that are other governmental municipalities as possible.

- a) Include in your reference information:
  - i) Name of the municipality or firm;
  - ii) Client's headquarters address;
  - iii) Current reference contact information, including the Reference's:
    - (1) Name;
    - (2) Title;
    - (3) Phone number;
    - (4) Email address;
  - iv) Project start date (date of signed agreement);
  - v) Project end date (project close-out date);
  - vi) Project description including all services performed; and
  - vii) Contractual value.
  
- b) Please provide the number of overall clients that you have currently using your proposed solution, including:
  - i) Within the United States; and
  - ii) Within the State of Colorado

## C. SOLUTION ENGAGEMENT TEAMS:

### 1) Vendor Engagement Team

Please provide the following:

- a) Each team member in the project engagement team's role;
- b) The responsibilities for each role; and
- c) Information regarding the team member's professional background.
  - i) Resumes may be included as an appendix but each resume shall not exceed one (1) page in length.

**2) Vendor Recommended Roles and Responsibilities of Thornton's Project Personnel**

Please provide the following:

- a) Identify the recommended Thornton personnel project team roles;
- b) The responsibilities of each role; and
- c) The estimated weekly hours required of Thornton's personnel over the entire project life-cycle.

**D. PROPOSED SOLUTION ENGAGEMENT:****1) Engagement Methodology**

Thornton's expectation is that the awarded Vendor will use their expertise to provide proactive leadership, guidance, and direction to the Thornton, CO team throughout each phase of the project life cycle while working collaboratively to plan and implement the solution.

- a) What steps does your firm recommend performing in evaluating Thornton's Development Code?
- b) What key characteristics does your firm consider in the evaluation and revision of a city's development code?
- c) Please describe in detail, your preferred engagement methodology for this project based on Thornton's Scope of Work.
  - i) Include your experience with developing communications materials for public hearings, development of project websites, etc.
- d) Please provide your experience and understanding regarding Colorado House Bill 21-1110 and the recent CADA laws that have been enacted regarding technology and website content accessibility. How does your firm ensure that your developed websites comply with all Colorado laws regarding these accessibility laws for clients in which you've developed a website?
- e) Please provide at least three (3) previous development code revision projects that your firm has completed in the last ten (10) years for other cities, preferably those cities listed above in your references.
  - i) A Proposing Vendors will upload these examples as separate files when submitting to BidNet Direct.

## 2) Conflicts of Interest

- a) When providing recommendations to a municipal client, does your firm operate in an agnostic environment with no conflicts of interest to housing development firms and/or community leaders?

## E. PROPOSED PROJECT SCHEDULE:

### 1) Project Milestones and Deliverables

- a) Please provide either of the following:
  - i) Confirmation that Thornton's proposed milestones and deliverables listed within this RFP are acceptable to your firm; or
  - ii) Provide a **proposed** set of milestones and deliverables for Thornton's consideration.  
**(1) Note: Appendix No. 1 – Pricing Form, is set up with Thornton's proposed milestones. If your firm provides its own set of proposed milestones, please ensure that you update the milestone list on the Pricing Form.**

### 2) Project Schedule

Please provide the following:

- a) A **proposed** project schedule via a Gantt chart or other type of chart, in terms of calendar days based upon the RFP Scope of Work and your proposed engagement methodology.
  - i) Use "Day 1" as the date of a fully executed agreement being signed by both Parties, with no prior work having been completed prior to a signed agreement being put into place.
  - ii) Ensure that you list the number of calendar days are expected for each portion of the project schedule and are denoted by each milestone.  
**(1) Note: Thornton's desired goal is to complete this entire project by the end of December 31, 2025.**

### 3) Vendor's Engagement Team Hours

- a) Please provide a list of how many hours for each milestone your assigned project personnel will be dedicating to this project, and the overall number of hours.

### 4) Project Success and Acceptance Criteria

Please provide the following:

- a) Your project success and acceptance criteria and note any concerns or comments. Include a description of the approach your firm uses to close out a project.

- i) Include an example of your firm's Project Acceptance Form, if applicable.

## 5) Change in Scope

Please provide the following:

- a) A description of your firm's process to determine if a request made by Thornton is deemed as being out of scope from a resulting agreement.
  - i) Include an example of your firm's Project Change Form, if applicable.
    - (1) **Note:** All potential change orders shall be reviewed and approved by the Thornton Purchasing Division prior to execution of any change orders. The Thornton Purchasing Division may issue an individual purchase order for any particular change order performed under a resulting agreement.

Vendors are to note that Thornton retains the right to utilize Thornton's own Change Order form when performing any change order.

## F. VALUE ADDED SERVICES, ADDITIONAL DETAILS, AND CLOSING STATEMENT:

### 1) Value Added Services

- a) Please list any additional services that are not previously mentioned within your proposal that are offered or included within the proposal pricing that are offered by your firm, in addition to your adherence to Thornton's Scope of Work.

### 2) Additional Details

- a) Please describe in detail any areas that Thornton has not included in this RFP's Scope of Work (best practices, missed requirements, etc.) that your team considers to be beneficial, important, relevant, or crucial to the successful implementation of your proposed solution.

### 3) Closing Statement

- a) Please provide a brief narrative (one [1] page or less) of how you believe your company's proposed solution will best serve Thornton's needs both now, and in the future of the contractual agreement.

## SECTION D: PRICING AND PROPOSAL ITEMS

### D.1 PRICING INFORMATION:

This section shall include a description of the proposed costs and prices. All pricing information shall be limited solely to this section of your proposal. This section should address

all requirements set forth in Section B as well as any other items pertinent to your proposal pricing such as additional discounts for increased quantities, service requirements, etc. The requirements have been developed to allow Thornton to uniformly evaluate prices submitted for the work. Accordingly, you should follow these instructions carefully and provide all data requested in the formats specified herein and in any referenced attachments.

Any omissions in this proposal shall be identified by each Vendor and incorporated into their proposal including any omissions for hardware, service, support, software, travel, shipping, etc. which is necessary to the success of the project. All items must be identified as a separate line item with pricing and included as part of this RFP, unless otherwise requested by Thornton. Thornton will not increase any subsequent agreement or purchase order (neither dollar amount or time) for items not included in the submitted proposal documents. Thornton reserves the right to purchase part or the entire proposal.

#### **D.2 BEST AND FINAL OFFER:**

Thornton reserves the right after review and evaluation of Vendors, including after all interviews and demonstrations that have been conducted, to go back to the “short list” of Vendors to conduct a Best and Final Offer (“BAFO”). If issued, the BAFO may be included as a final pricing evaluation tool by Thornton to aid in the award decision process.

#### **D.3 PRICING:**

All prices quoted shall be firm and fixed for the entire period of time it takes to complete the original project that includes all portions of the scope of work listed in Section B of this solicitation.

#### **D.4 ANNUAL PRICE UPDATES:**

The awarded Vendor may be engaged at future dates within the agreed upon contract period for additional future funded projects. At such time a future project is requested, the Vendor may request a price adjustment for inflation based on the Denver-Aurora-Lakewood Price Index upon mutual agreement of the Parties.

A link to index that is current at the time of this solicitation has been provided below:

[https://data.bls.gov/pdq/SurveyOutputServlet?data\\_tool=dropmap&series\\_id=CUURS48BSA0,CUUSS48BSA0](https://data.bls.gov/pdq/SurveyOutputServlet?data_tool=dropmap&series_id=CUURS48BSA0,CUUSS48BSA0)

Price adjustment requests are to be made by the Vendor in writing (e.g., email) to the Thornton Purchasing Division, no later than sixty (60) Calendar Days prior to the agreement’s renewal date or year in which the adjustment may take effect. Should the Vendor fail to submit a request for a price adjustment to Thornton’s Purchasing Division, then the current pricing shall remain in effect for the following renewal period of the agreement.

Only one (1) request for price adjustment may be made by the Vendor in one (1) Calendar Year after the original project has been completed. Any requests for adjustment shall not impact project pricing for projects that have already been agreed upon and are currently being worked on by the Vendor. As stated above in Section D.3, all proposed pricing shall be firm and fixed for the original project.

#### **D.5 PROPOSAL ITEMS:**

The pricing form for this RFP will be in a Microsoft Excel format, with a free-type ability for the Vendor to complete the form if there are any additional costs associated with your proposal. The form is under separate cover and is entitled “232-25 RFP Appendix No. 1 Pricing Form”.

Proposing Vendors are required to provide hourly rate pricing for each of their employee positions that will be applicable for billing to Thornton and the number of anticipated hours that each employee will be utilized in this Project. These hourly employee rates will be used for this Scope of Work, as well as, for any meetings, presentations, or other hours accumulated by the awarded Vendor that may fall out of the Scope of Work listed within this RFP.

All pricing is to be reflective of the Scope of Work and proposal questions listed within this solicitation. Do not include pricing in any other portion of your proposal.

Reimbursable expenses for travel, photocopying, and printing will not be applicable. All proposed Vendor rates shall be inclusive of standard office equipment, supplies, fuel, rental vehicles, hotel accommodations, and travel incurred by the awarded Vendor during their service to Thornton.

It is the proposing Vendor’s responsibility to list all applicable employee costs for this Project. All items not itemized and listed by the proposing Vendor that are instrumental in completing this Project will be at the cost to the Vendor and supplied to Thornton at no additional cost.

**The remainder of this page has been left blank intentionally.**

## **SECTION E: PROPOSAL INSTRUCTIONS, EVALUATION, AND AWARD**

### **E.1 PROPOSAL POSTED LOCATIONS:**

This Request for Proposal (RFP) has been posted publicly to the following locations:

- BidNet® Direct: [www.BidNetDirect.com](http://www.BidNetDirect.com)
- Thornton's Purchasing website: <https://solicitations.thorntonco.gov/solicitations>

Thornton currently uses BidNet Direct® and its own website to distribute official records for all copies of publicly posted proposals for viewing. Both websites operate as a free to view and download option for prospective Vendors.

Upon request by a Proposing Vendor, the Purchasing Division will also make this solicitation available for viewing at the Contracts and Purchasing Division office. The address for the office is located on the cover page of this RFP.

### **E.2 PROPOSAL QUESTIONS:**

Thornton shall not be bound by and the Vendor shall not request or rely on any oral interpretation or clarification of this RFP. Therefore, any questions regarding this RFP are encouraged and shall be submitted in writing by email to the Purchasing Analyst of Record listed within this RFP.

Questions received up to deadline to submit question in the Schedule of Events will be answered in writing per the Schedule of Events. Answers to questions from any Vendor will be provided to all Vendors via a written addendum.

### **E.3 ADDENDA:**

In the event it becomes necessary to revise, change, modify or cancel this RFP or to provide additional information, addenda will be issued and made available on BidNet® Direct and on Thornton's website. Changes, clarifications, and answers to RFP questions that have been posted in a written addendum that affect or change the RFP's Scope of Work shall be considered as to have replaced and superseded the original proposal's Scope of Work.

It is the responsibility of the proposer/ contractor to confirm that they have acquired all addenda related to this proposal and they have reviewed/ complied with the requirements therein.

### **E.4 SUBMISSION OF PROPOSALS:**

Submission of proposals for this RFP may be done electronically through a Vendor portal (currently done via BidNet Direct®). Proposals can be submitted at [www.bidnetdirect.com](http://www.bidnetdirect.com), but shall not be completely submitted later than the date and time indicated in the Schedule of Events.

If you experience problems with BidNet Direct®, please call 1-800-835-4603 for assistance. There is no charge by BidNet Direct® for this service.

Proposing Vendors who are unable to submit a proposal through BidNet®, may request to submit a physical copy of their proposal for consideration. A proposing Vendor shall email the Purchasing Analyst of Record prior to the question due date listed in the Schedule of Events, for instructions on where and how to submit their physical proposal. All physical proposal submissions shall be submitted and recorded no later than the date and time indicated in the Schedule of Events.

### **E.5 DOCUMENTS FOR FINAL VENDOR SUBMISSION:**

Proposing Vendors are solely responsible to ensure that their submission is complete and responsive prior to a final submission. As a reminder this RFP contains the following documents that will require completion by the proposing Vendor to be considered as initially responsive:

- 1) Section C.2 – Proposal Questions – Answers provided by the proposing Vendor
- 2) Section D.5 – Proposal Items
- 3) All additional technical information in support of your proposal
- 4) Section G.1 – Acceptance and Addenda Acknowledgement Form
- 5) Section G.2 – Sample Agreement Acknowledgement Form
- 6) Section G.3 – References and Authorization Release Form

It is not necessary for a proposing Vendor to submit this entire RFP document that has been provided by Thornton with the Vendor's response. Only the above-mentioned items are currently required with your proposal submission. Thornton reserves the right to request any clarification, ask any questions, or request additional documents that may aid in the evaluation of your proposal.

### **E.6 PAGE LENGTHS FOR FINAL VENDOR SUBMISSION:**

Thornton is seeking proposals from qualified firms with proposals from prospective Vendors that contain relevant information, answers to proposal questions, pricing, technical information, sample reports, and other items that support that Vendor's proposal submission.

With this in mind, Thornton is requesting that proposing Vendors work to limit their submissions to **seventy-five (75)** pages or less.

## E.7 CONFIDENTIAL AND PROPRIETARY INFORMATION

As a Colorado home rule municipality, Thornton is subject to and must comply with the Colorado Open Records Act (“CORA”), C.R.S. § 24-72-201 *et seq.* All Vendor submitted documents are subject to requests for public records pursuant to CORA. **Proposing Vendors must clearly identify within their submissions any information that is confidential and proprietary by marking such information as “Confidential” or “Proprietary” information.** Any information a Vendor marks as confidential or proprietary shall comply with CORA and any other applicable statute(s).

Prior to a final award and agreement, Vendor submitted information that is contained within the proposal may be held by Thornton as confidential and proprietary at Thornton’s sole discretion. **In accordance with CORA, upon the conclusion of a final award and agreement, Thornton may, in its sole discretion, release any and all portions of Vendor submissions not marked as confidential or proprietary.** Thornton shall be held harmless from any claims arising from the release of confidential and proprietary information not clearly designated as such by the proposing Vendor within their proposal documents to Thornton.

In general, it is not acceptable to Thornton for a proposing Vendor to mark information other than the following items as confidential or proprietary:

- 1) Financial statements
- 2) Project financing data
- 3) Litigation history
- 4) Tax audit history
- 5) Client lists and references

Thornton does not generally find it acceptable to mark proposal pricing, nor the entirety of your proposal, as confidential or proprietary. Failure to adhere to these restrictions may result in your proposal being deemed non-responsive.

For more information about Thornton’s processes related to CORA, including using Thornton’s Public Records Request Form or for submission of a CORA request, please visit the website of the office of Thornton’s City Clerk at <https://www.thorntonco.gov/government/city-clerk/Pages/default.aspx> or you can reach the Clerk’s office by email at [Clerk@ThorntonCO.gov](mailto:Clerk@ThorntonCO.gov) or by phone at (303) 538-7615.

## E.8 LATE PROPOSAL SUBMISSIONS:

Proposing Vendors are expected to allow adequate time to upload a complete submission for consideration through the electronic Vendor portal (currently BidNet Direct®). The Vendor portal will not allow a Vendor to modify, save, nor upload their proposal after the submittal date and time have passed. It is **highly recommended** that as a proposing Vendor you do not wait until the last minute to submit your proposal.

Late proposals will not be accepted. Sole responsibility rests with the proposing Vendor to ensure that its proposal is completely uploaded through the Vendor portal or is received in the Purchasing Office prior to the submission deadline. Proposals that are left in a "Draft" status in the Vendor portal will not be accepted by Thornton for consideration.

All physical proposals received in the Purchasing Office after the submittal date and time will be immediately rejected without consideration.

#### **E.9 AWARDS:**

Award will be made on an "all or none" basis. Prices must be shown for each item listed. Proposals submitted without individual item prices listed will be considered as non-responsive and rejected.

#### **E.10 ACCEPTANCE PERIOD:**

Submissions in response to this proposal shall remain valid until an award has been made to a proposing Vendor or at a minimum of one hundred twenty (120) Calendar Days from the time of submission, whichever date comes last.

#### **E.11 EVALUATION OF PROPOSALS:**

All proposals will be evaluated by a Selection Committee assigned by the City Manager, or their designee. Proposals shall be evaluated on the basis of qualifications, experience, and the applicability of the solutions offered to meet Thornton's needs as they pertain to the Evaluation Criteria noted herein and in the context of best value received for the required goods and/or services. Note that any tools utilized by the Selection Committee in their evaluation process are only intended to facilitate the understanding of the submissions received and facilitate the member's ability to weigh the merits of each proposal. Therefore, any tools utilized by the Selection Committee have no binding effect on their vote or the final award made by Thornton as a result of this RFP.

In addition, other pertinent information which becomes available during the evaluation, interview, or negotiations may be considered in the evaluation. The committee may make a selection on the basis of the Proposals received, or may choose to "short list" prospective firms for further consideration, which may include interviews and or negotiations. The firm selected for the Award will be chosen on the basis of the apparent greatest operational and financial benefit to Thornton, and not necessarily on the basis of lowest price. The City Manager, or their designee, shall make the final determination of the firm selected.

**E.12 EVALUATION CRITERIA:**

Evaluation criteria for this RFP may include, but is not limited to, the following items:

- 1) Responsiveness to the needs of Thornton, including the time required to complete the implementation of the awarded Vendor's solution.
- 2) Responsibility of the proposing Vendor.
- 3) The written responses provided by the proposing Vendor to the Proposal Questions – Section C.2, and all clarification questions asked by Thornton during the RFP evaluation.
- 4) The proposing Vendor's submitted pricing.
- 5) The results of the Vendor's reference checks.
- 6) The degree to which the Vendor's proposal meets or exceeds the needs as defined in the RFP, including any additional value-add items.
- 7) The results of any Vendor samples, and/or interviews from this RFP.
- 8) The agreeability of the Vendor to Thornton's terms and conditions and the ability to contract with the awarded Vendor.
- 9) All other applicable information and documents submitted by the Vendor and received by Thornton in the evaluation of the proposal.

**E.13 POST AWARD PURCHASE ORDER:**

The resulting award from this proposal will be a purchase order (PO) generated by Thornton's Contracts and Purchasing Division.

**E.14 STANDARD PROPOSAL CONSIDERATIONS:**

Thornton maintains a standard set of RFP considerations and terms and conditions for RFPs that are non-federally funded and are not through a cooperative awarded process. These considerations are static between each RFP process. It is the sole responsibility of the proposing Vendor to have read all RFP considerations. A copy of these standard RFP considerations has been uploaded with this RFP document as a separate cover.

**The remainder of this page has been left blank intentionally.**

**SECTION F: SAMPLE AGREEMENT****F.1 SAMPLE AGREEMENT:**

A sample General Services Agreement has been provided under separate cover as part of this solicitation. This sample agreement has been provided to inform the proposing Vendor of Thornton's terms and conditions expectations for the awarded Vendor from this solicitation. This sample agreement is subject to change at Thornton's sole discretion.

The sample agreement that has been provided by Thornton shall serve as the overarching agreement for this project, its subsequent renewal years, and all work performed by the Vendor and if applicable, their subcontractors for the duration of the entire agreement period. The opportunity for a prospective Vendor to provide any proposed redlines to Thornton's sample agreement is during the submittal process and all Vendor proposed redlines shall be submitted with the Vendor's final proposal. This sample agreement is subject to change at Thornton's sole discretion.

Thornton does not anticipate signing any separate Vendor contractual documents, including separate general or online terms and conditions, Vendor agreements, Vendor quotations with separate terms and conditions, etc. Vendors who have such documents that are required for their solution must submit these documents for Thornton's review and potential incorporation into the final agreement between both Parties as part of their final proposal submission.

The Vendor does not need to complete any of the information within the sample agreement as part of the initial proposal submission process. At Thornton's sole discretion and as part of a final evaluation process by Selection Committee, the Purchasing Analyst of Record may contact a proposing Vendor for any clarifications.

**The remainder of this page has been left blank intentionally.**

**SECTION G: REQUIRED VENDOR SIGNATURE FORMS****G.1 ACCEPTANCE AND ADDENDA ACKNOWLEDGEMENT FORM:**

- 1) Vendor indicates acceptance of the following conditions:  
City of Thornton Charter Section 7.4 prohibits Thornton from issuing a Purchase Order to firms which employ certain family members of employees unless the Thornton Council determines it is in Thornton's best interest. For the purposes of this Charter Section, a domestic partner shall be considered equivalent to a family member. The Vendor attests to the following:
- No City Council Member, member of a board or commission, Municipal Judge, City Manager, City Attorney, or employee of the City of Thornton, or any such person's family member, domestic partner, or person assuming a relationship being the substantial equivalent of the above, has an existing or pending, direct or indirect, financial, pecuniary or personal interest in the proposing firm or this Invitation for Bid, except as follows: (list, if any)\_\_\_\_\_
- 2) The undersigned Vendor, having examined the Proposal Documents, and having full knowledge of the product and/or services requested and described herein, hereby proposes that it will fulfill the obligations contained herein specifications set forth; and that it will furnish all required products and pay all incidental costs all in strict conformity with these Proposal Documents, for the stated prices as payment in full. Yes  No
- 3) I acknowledge receipt of any and all published addenda and a copy of the sample agreement as provided by Thornton : Yes  No
- 4) I acknowledge that I have submitted all items and documents as required of the final proposal submission Yes  No

Proposing Vendor's Name: \_\_\_\_\_

Date: \_\_\_\_\_

Submitted By (Printed): \_\_\_\_\_

Submitted By (Signature): \_\_\_\_\_

Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**G.2 SAMPLE AGREEMENT ACKNOWLEDGEMENT FORM**

Regarding Thornton's Sample Agreement, the undersigned Vendor acknowledges the following:

- 1) The proposing Vendor has received a copy of Thornton's sample Agreement.  
Yes  No
- 2) All proposed exceptions to Thornton's sample Agreement and all proposed Vendor agreements may be included as part of Thornton's final evaluation process.  
Yes  No
- 3) All proposed exceptions or redlines to Thornton's sample Agreement by the Vendor, and all proposed terms and conditions have been uploaded with the Vendor's final proposal as a separate file and has been clearly marked as so.  
Yes  No
- 4) If chosen for award, that Thornton may accept, reject, or negotiate all proposed changes to the terms and conditions of the sample Agreement and all other Vendor proposed terms and conditions.

Should an Agreement be unable to be reached between Thornton and my firm, I acknowledge that Thornton retains the sole discretion to reject the award made and move to another Vendor for award and contractual negotiations.

Yes  No

Proposing Vendor's Name: \_\_\_\_\_

Date: \_\_\_\_\_

Submitted By (Printed): \_\_\_\_\_

Submitted By (Signature): \_\_\_\_\_

Title: \_\_\_\_\_

**G.3 REFERENCES AND AUTHORIZATION AND RELEASE FORM:****REFERENCE AUTHORIZATION FORM**

By: \_\_\_\_\_, A Corporation  
(Proposing firm) A Partnership whose address is \_\_\_\_\_  
An Individual (Circle One)

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Proposing firm has submitted a sealed Proposal to the City of Thornton (Thornton) for this solicitation.

Proposing firm hereby authorizes Thornton to perform such investigation of proposing firm as Thornton deems necessary to establish the qualifications, responsibility, trustworthiness, and financial ability of the proposing firm. By its signature hereon, the proposing firm authorizes Thornton to obtain reference information concerning the proposing firm and releases the party providing such information named above and Thornton from any and all liability to the proposing firm as a result of any reference information provided.

Proposing firm further authorizes Thornton to discuss and release any and all information regarding the Proposing firm's performance on its forthcoming services related to this project or other past projects upon receiving a request for such information. Proposing firm releases Thornton from any and all liability associated with such a release of information.

Proposing firm further waives any right to receive copies of reference information provided to Thornton. A copy or facsimile of this executed Reference Authorization and Release Form may be used with the same effectiveness as an original.

Proposing Vendor's Name: \_\_\_\_\_

Submitted By (Printed): \_\_\_\_\_

Submitted By (Signature): \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**SECTION H: AUTHORIZATION FOR SOLICITATION POSTING****H.1 PURCHASING MANAGER FORM:**

All communications regarding this solicitation shall be directed to the Purchasing Analyst of Record listed within this solicitation in Section A.2 – Purchasing Analyst of Record.

This solicitation has been reviewed and approved for a public posting by the Thornton Purchasing Manager.

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Andrew Miskell, CPPB  
Purchasing Manager