

The Basalt Affordable Community Housing (BACH) Meeting will be held by Teleconference – The Public may access the meeting by calling the number below and entering the Meeting ID when prompted.

Phone Number: 16699006833

Meeting ID: 889 8586 5934

Passcode: 450526



**TOWN OF BASALT MEETINGS**  
**Basalt Affordable Community Housing (BACH)**  
**Thursday, March 23, 2023**

**Basalt Town Hall**

**101 Midland Avenue**

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- 12:00 PM    Roll Call**
- 12:01        Approval of Minutes- November 10, 2022, January 12, 2023**
- 12:03        Introduction of New Members**
- 12:10        BACH Bylaw Updates**
- 12:20        Review of Request for Proposals for Updated Affordable Housing Assessment/Short-Term Rental Impact Fee Nexus**
- 12:50        Staff Updates**
- 12:55        Member Updates & Other**
- 1:00         Adjourn**

Public Comment is limited to 3 minutes. Those who wish to speak should email [james.lindt@basalt.net](mailto:james.lindt@basalt.net) before the meeting starts with their name, phone number, and identify what item they would like to address. During the meeting those wishing to comment may also email [james.lindt@basalt.net](mailto:james.lindt@basalt.net), but it is not guaranteed that the email will be seen in a timely fashion.



## **Basalt Affordable Housing Commission (BACH)**

### **ACTION MINUTES**

**BOARD MEMBERS PRESENT:** Anne Baker and Katie Erickson.

**BOARD MEMBERS ABSENT:** Michael Kosdrosky

**STAFF PRESENT:** Michelle Thibeault and James Lindt.

**OTHERS PRESENT:** None.

**DATE** 11/10/2022

**MEETING CALLED TO ORDER AT** 12:08PM

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#### **AGENDA ITEMS**

1. Approval of Minutes
2. Review of Draft Community Housing Guideline Language for Income Waivers
3. Discussion on Process Framework for Community Housing Guideline Amendments Related to Income Categories
4. Member Updates and Other

#### **Approval of Minutes**

Minutes were not approved as a quorum was not present at the meeting.

Town Staff identified that agenda items would be discussed in a work session format due to the lack of a quorum.

#### **Review of Draft Community Housing Guideline Language for Income Waivers**

James reviewed the proposed language for temporary income waivers for persons in deed-restricted rental units that are required to requalify annually. James described that an increasing number of renters who are going through the annual requalification process are exceeding income restrictions due to organizations providing employees with cost-of-living income increases. Without a modification to existing eligibility requirements, persons would be required to vacate their rental housing upon expiration of a lease. James presented an amendment to the guidelines based on an income that exceeds maximum income requirements by more than 20% (using an average of household income of the immediately prior two years), and less than 20% above maximum income requirements (use of household income from the prior year).

Anne and Katie recommended Staff pursue the proposed amendments.

**Discussion on Process Framework for Community Housing Guideline Amendments Related to Income Categories**

James reviewed the proposed process included in the BACH agenda packet. James also reviewed the concept of studying the nexus of short-term rental (STR) fees imposed by the Town and impacts of short-term rentals on attainable housing inventory. Currently, the Town requires an annually renewable short-term rental license and collects lodging tax. Other municipalities have impact fees on STRs that are contributed to affordable housing funds. James also noted many subdivisions in Basalt prohibit STRs. Katie wondered how many unlicensed STRs might exist. Michelle noted the Town is currently pursuing a new software platform to track registered and unregistered STRs in Town limits.

Anne and Katie agreed with the framework James presented for a future Request for Proposals.

**Member Updates and Other**

Anne inquired about the status of \$6M affordable housing bond initiative. James updated BACH that about 6 months ago, Council directed Staff to work with Bruce Kimmel on buy-down options. Ultimately, the buy-down options were too expensive to pursue as presented.

**M/S BY KATIE ERICKSON AND ANNE BAKER TO ADJOURN MEETING AT 12:54PM. MOTION PASSES 2-0.**

TOWN OF BASALT

BASALT AFFORDABLE HOUSING COMMISSION

By \_\_\_\_\_

Katie Erickson, Chair

Attest \_\_\_\_\_

Michelle Bonfils Thibeault, Planning Director



## **Basalt Affordable Housing Commission (BACH)**

### **ACTION MINUTES**

**BOARD MEMBERS PRESENT:** Anne Baker, Katie Erickson, Mike Kosdrosky

**STAFF PRESENT:** Michelle Thibeault, James Lindt, Sara Nadolny, Ryan Mahoney

**OTHERS PRESENT:** Kristen Knoll, Dave Portman

**DATE** 1/12/2023

**MEETING CALLED TO ORDER AT 12:02 PM**

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#### **AGENDA ITEMS**

1. Approval of Minutes from July 28, 2022, October 6, 2022 and December 8, 2022
2. Introduction to New Town Logo and Branding Process
3. Discussion on Process Framework for Community Housing Guideline Amendments and Code Amendments Related to Income Categories, For-Sale/Rental Mix, and Occupancy Priorities
4. Member Updates and Other

Michelle introduced Dave Portman who is interested in attending a BACH meeting as a potential member.

Dave introduced himself as a resident of Missouri Heights. He works as the Market President for First Bank in Roaring Fork Valley, located in Basalt. Dave explained the importance affordable housing plays in his role with First Bank.

#### **Approval of Meeting Minutes**

M/S Katie and Mike to approve the meeting minutes from July 28, 2022, October 6, 2022 and December 8, 2022. Motion approved 3 to 0.

#### **Introduction of Logo & Branding Process**

Ryan introduced Kristen Knoll of Slate Communications and explained that the Town is currently undergoing a rebranding and logo update process. He explained that the current logo is over 20 years old. Slate Communications has been selected to help the Town with the update. Slate has also spoken with the other Town citizen committees and Council members thus far. The Town will be looking to assemble an ad hoc steering committee and will need a volunteer from BACH. Slate Communication will introduce two options for a new Town logo, and the Town is also planning to engage with local graphic designers to produce another two options each. There will be six logo options to choose from at the end of the process.

Ryan asked Dave to participate as part of the survey.

Kristen introduced Slate Communication as a marketing and branding firm out of Ft. Collins that works exclusively with local governments. She said the goal is to understand what the Basalt community means to BACH, noting that themes are beginning to emerge from previous conversations with other Basalt committees.

Kristen proceeded to take BACH through the short survey.

**Discussion on Process Framework for Community Housing Guideline Amendments and Code Amendments Related to Income Categories, For-Sale/Rental Mix, and Occupancy Priorities**

James provided background that Council asked Staff to draft and evaluate potential amendments to the Town's affordable housing mitigation requirements and Housing Guidelines. It is included in the Town's 2023 budget. James outlined the framework for the process to research and determine potential amendments to income categories, for-sale/rental mix, and occupancy priorities in the community housing guidelines.

Mike felt that a baseline analysis is needed to effectively perform a gap analysis.

Anne wanted to know what qualifies as short term rental, and James indicated that the Code defines this as a lease less than 30 consecutive days.

Staff will start drafting the RFP and take the process framework to Council for their review and consideration.

**Member Updates and Other**

There were no member updates.

**M/S Katie and Mike to adjourn at 12:55 pm Motion passed 3 to 0.**

TOWN OF BASALT

BASALT AFFORDABLE HOUSING COMMISSION

By \_\_\_\_\_

Katie Erickson, Chair

Attest \_\_\_\_\_

Michelle Bonfils Thibeault, Planning Director



## **Basalt Affordable Housing Commission BY-LAWS**

### **I. ROLE**

The Basalt Affordable Housing Commission (BACH) provides advice to the Town Council on a variety of housing matters. The Council asks BACH to:

- A. Provide a sounding board on significant housing policy issues.
- B. Explore and cultivate partnerships that can support the development of affordable housing (e.g. Pitkin and Eagle County).
- C. Review and make recommendations on financing mechanisms for the development of affordable housing.
- D. Help support the case for new resources when necessary to fulfill the goals for affordable housing within the Town.
- E. On an annual basis, provide a plan for the planning, acquisition, financing, and/or development of affordable housing in the Basalt area.
- F. Pursue the affordable housing goals and objectives of the Affordable and Inclusive Chapter of the 2020 Basalt Master Plan to promote affordable housing in the Basalt area.
- G. Act as a referral agency to Council on affordable housing projects and applications referred to BACH by the Town Planner that are required to provide affordable housing according to the then current housing guidelines and land use code.
- H. Submit a yearly report to the Council at the beginning of each year that outlines the activities and accomplishments of BACH in the previous calendar year and meet with the Town Council upon request.

In addition to these By-laws, the Basalt Affordable Community Housing Commission operates under the terms of the Town's Code of Ethics (Chapter 2, Article VIII of the Basalt Municipal Code). Copies of which, along with these By-laws, shall be provided to each member at the time of their appointment.

## **II. BOARD/COMMISSION MEMBER GUIDELINES**

- A. BACH works as a group, not as individuals, and is not a decision making body. BACH members are not to present themselves as a "representative of the Town" in any matter, private or public. Members are not to act independently to "make decisions" or "act on behalf" of the Town.
- B. BACH will work only on the projects included in the yearly work program or assigned by the Town Council or Town Manager, except as clarified herein.
- C. BACH will make recommendations to the Town Council, which may be accepted, altered, or rejected.
- D. BACH process is to take place during the meeting or any appointed subcommittee meeting, in public only.

## **III. BOARD/COMMISSION COMMUNICATION STRATEGY**

- A. BACH should be prepared to make recommendations or present ideas that would require funding to the Town Council at the beginning of the budget process.
  - 1. Scheduled on a regular Council agenda or budget retreat agenda in June and July.
  - 2. Gives the Town Council opportunity to weigh in on ideas and provide feedback or direction.
  - 3. Project ideas should align with the Strategic Plan and/or Capital Improvement Plan.
- B. BACH will engage with the Town Council again at the beginning of the calendar/fiscal year.
  - 1. Scheduled on a regular Town Council agenda in January through March, unless Council agendas are full.
  - 2. This would allow BACH time between budget process and New Year to plan and outline projects.
  - 3. Allows the Town Council to weigh in and refine scope of projects (if needed).

- C. Quarterly check-ins throughout the year to update Town Council and share progress and/or request further direction on projects will be scheduled by the Town Manager.
- D. Town staff will maintain the Town's webpage information on the board or commission, including its regular meeting schedule and notes from meetings.
- E. The Town Manager will update the Town Council on BACH activities through the weekly report or at Council meetings.

\*The Town Council wants its boards/commission to give the Council ideas on projects or policies within the mission/purpose statement for that board/commission. To make the most effective use of its boards/commission, the Council asks BACH to conceptually develop ideas with a general outline and check in with the Council for the Council's input before spending considerable time developing its proposal.

#### **IV. MEETINGS AND ORGANIZATION**

- A. *Meetings.* BACH shall establish a regular meeting schedule each year by motion.
- B. *Regular Meetings* shall be held at least once a month. Any item on the agenda which cannot be heard and considered by the conclusion of the meeting may be continued until and heard at the next regularly scheduled meeting or a specifically scheduled meeting.
- C. *Special Meetings* may be held at any time upon call by the Chairperson upon coordination and availability of Town staff. The Chairperson shall call a special meeting upon request by the Town Council or Town Manager, or upon request by two-thirds of the members of the BACH, and upon coordination and availability of Town staff.
- D. *Meeting Procedures.* For matters requiring action by the BACH, parliamentary procedure will be followed in discussion, moving and acting on such matter.
- E. Town Council shall establish, adopt, and amend BACH Bylaws necessary to their operation after review and approval by the Town Attorney.
- F. *Open Meetings.* All meetings and actions of BACH shall be in full compliance with State Statutes governing open meetings, as amended and incorporated herein by reference. It is the responsibility of the Staff Liaison to be familiar with these statutes and regulations.
- G. *Attendance by Non-members.* Meetings may be attended by persons who are not members of BACH. At the discretion of the Chairperson, non-members may be allowed to speak at meetings. However, in no event shall non-members be allowed to vote on matters for which a vote is required.



## V. MEMBERS AND QUORUM

A. *Membership.* The Council, in making appointments to the BACH, should look to create a board from constituencies representing various segments of the Basalt community which have experience, expertise, or interest in the areas of finance, construction, planning, business, or another related field. The intention of the Council is to reflect the diversity of the Basalt community in procuring a variety of attainable housing, and to appoint members who can carry out the purpose and responsibilities as outlined herein.

The BACH shall consist of up to seven (7) members who are eligible to be appointed by the Town Council as further outlined below:

1. At least five (5) of the members shall be residents of the Town of Basalt. The determination of residency shall be made by the Town in accordance with the provisions of C.R.S. 31-10-201(3), as amended from time to time.
2. Although not required, at least one (1) member should be a representative of the Latinx community.
3. Up to two (2) members may be non-residents so long as they are staff from the RE-1 school district, local business community, Basalt Chamber of Commerce, or local non-profit organizations.
4. Any member who is appointed as a resident member and no longer meets that definition shall automatically be removed as a member unless the membership can revert to a non-resident member status as there are at least five other resident members.
5. The Town Manager, after advice from the Town Attorney, shall make the interpretation of membership status and members may appeal that decision to the Town Council.

B. *Terms.* Members shall be appointed to a three year term. The terms of the members shall be staggered so that the terms of an equal number of the members expire each year. Any member whose term is expiring may apply for reappointment to the Commission. Any appointment or reappointment shall be at the discretion of the Town Council pursuant to Subsection A, above.

C. *Vacancies* shall be filled by appointment whether at the expiration of a term or for an unexpired portion of a term. Members are appointed by Basalt Town Council at a regular meeting, after a recommendation for appointment is provided by current BACH members. An acting member may stay in their position after the expiration of their term until an appointment is made.

- D. *Solicitation of Candidates.* The Town Clerk will post vacancies on the Town's webpage or other social media as appropriate, and applications will be forwarded to the appropriate body for consideration.
- E. *Quorum.* A quorum shall be a majority of any board or commission.
- F. *Action by the Basalt Affordable Community Housing* shall be a majority vote of the members attending any regular or special meeting at which a quorum is present, unless otherwise provided in these By-laws.

## **VI. OFFICERS**

- A. *Officers* of BACH include the role of Chair and Vice Chair. BACH shall organize and elect from among the appointed members a Chairperson and Vice Chairperson. Such officers shall serve a term of one (1) year and shall be eligible for reelection. Regardless, the officers shall serve until the earlier of a new election or that member no longer is an eligible member.
- B. *Elections.* Officers shall be elected by the members annually, at the second regularly scheduled meeting of each year. Officers shall be members of the committee. Notification of who is elected Chair will be sent to the Town Clerk.
- C. *Chairperson responsibilities:*
  - 1. Preside at all meetings.
  - 2. Ensure that all meetings are conducted with decorum and efficiency.
  - 3. Call special meetings in accordance with the By-laws.
  - 4. Sign and prepare document on behalf of the BACH for submission to the Town Council or Town departments.
  - 5. See that decisions of the board/commission are implemented.
  - 6. Represent the board/commission in dealings with the Town Council or other organizations.
  - 7. The Chairperson has the same right as any other member of the board/commission to vote on matters before the board/commission and to speak for or against proposals.
- D. *Vice-Chairperson responsibilities:*
  - 1. Assist the Chairperson as requested.
  - 2. Accept and undertake duties delegated by the Chairperson.
  - 3. Preside over meetings or perform other duties of the Chairperson in the event the Chairperson is absent or unable to act.

- E. *Removal from Office.* Any officer may be removed from office by a supermajority vote of the Town Council.
- F. *Office Vacancies.* If any office is vacant, the members of the board/commission shall elect a member to fill the office for the remainder of the year.

**VI. ATTENDANCE**

- A. Regular attendance by the members of BACH is expected. In the event any member misses three (3) consecutive regular meetings or a total of four (4) regular meetings in a calendar year, the Town Council may remove its appointed member for neglect of duty and designate a new member to fill the vacancy.

**VII. FUNDING AND SUPPORT**

- A. The Town Council will establish funding for the BACH within the Town's yearly budget or other special appropriations. The Town Manager will be responsible for assigning staff services to BACH within the parameters of the Town's approved budget. The Town Manager will also be responsible for advising BACH of deadlines to be satisfied.
- B. With the approval, including the necessary appropriation of funds by the Town Council, the Commission may contract with professional advisors, financial experts, landscape architects or other designers, or engineering services as BACH may require.
- C. BACH is encouraged to seek other public and private financial support. For clarification, any grants which require a match from the Town require prior Town Council approval.

**VIII. COMPLIANCE WITH TOWN POLICIES**

- A. BACH shall operate in compliance with all applicable Town Council policies.

Adopted this \_\_\_ day of \_\_\_\_\_  
BASALT TOWN COUNCIL

By: \_\_\_\_\_  
Mayor

**REQUEST FOR PROPOSALS  
PROPOSER'S INSTRUCTIONS AND SCOPE OF SERVICES**



**TOWN OF BASALT  
UPDATED AFFORDABLE HOUSING ASSESSMENT AND  
SHORT-TERM RENTAL IMPACT FEE NEXUS**

**March 27, 2023**

**PROPOSALS MUST BE SUBMITTED NO LATER THAN**

**4:00 PM, MDT, May 1, 2023**

## REQUEST FOR PROPOSALS

### TOWN OF BASALT AFFORDABLE HOUSING ASSESSMENT INCLUDING IMPACTS OF SHORT-TERM RENTALS

#### GENERAL INFORMATION TO PROPOSERS

## I. INTRODUCTION

The Town of Basalt (hereinafter “Town”) will accept proposals from interested parties (hereinafter referred to as “Project Team”) to provide professional services (hereinafter described as “services”) to conduct an updated Affordable Housing Assessment and Short-term Rental Impact Fee Nexus Report (hereinafter the “Project”) for the Town.

The Basalt Community Housing Guidelines currently focus on deed-restricted rental and ownership housing for persons earning 60% to a maximum of 120% of the Area Median Income (AMI). The Guidelines define three income categories – Category 1 (60-80% AMI), Category 2 (81-100% AMI) and Category 3 (101 – 120% AMI). Since the most recent 2019 Greater Roaring Fork Valley Housing Study was published, economic conditions have changed significantly in Basalt and the Roaring Fork Valley causing consideration of additional, revised and/or reconsidered income categories.

The intent of this project is to determine priorities for future affordable housing projects that includes an update of economic conditions impacting availability of affordable housing within the Basalt three-mile planning area specifically to understand the gaps in the mid-valley housing inventory. This framework shall include, but may not be limited to, an update of income & wage data in consideration of the supply of current housing inventories and recommended action steps for the Town to progress toward further meeting the evolving housing needs of the community.

The Town of Basalt is similarly updating methods of tracking and licensing short-term rental properties. The Town desires to quantify the impacts of short-term rentals on affordable housing for a future fee structure related to permitting short-term rentals. The project shall include developing a short-term rental impact fee methodology and nexus report.

### **Background**

Affordable housing requirements are incorporated into the land use code requiring mitigation for commercial and residential development. Article XIX of Chapter 16 of the Basalt Municipal Code contains the affordable housing mitigation regulations and Chapter 15, Annexation contains additional requirements for properties being annexed into Town. As an additional resource, the *2020 Basalt Master Plan* is also located on the Town’s website, [www.basalt.net](http://www.basalt.net).

In 2008-2009, The Basalt Housing Needs Assessment was completed (Attachment A) for the Town of Basalt. In 2015 an updated Housing Conditions Report was documented (Attachment B). Independently from the Town of Basalt, the Roaring Fork Regional Housing Study was completed in 2019 (Attachment C). The project will build upon these findings by providing an analysis of the existing housing market and needs of the Basalt three-mile planning area, along with recommendations to guide housing priorities.

## II. SCOPE OF SERVICES

The Project will help the Town of Basalt, housing providers, nonprofit organizations, and neighboring municipalities develop a better understanding of the existing housing market and the needs of Basalt area residents. With updated data and analysis, the Project will be used to update the Town's housing guidelines and policies, encourage housing development and similarly related Town policies meet evolving community priorities. If the Consultant believes that the project can be enhanced in any way by the addition of other tasks or the deletion of any specified tasks, such information should be included in the proposal.

The scope of services for this Request for Proposals consists of the following:

- 1) Review of Existing Housing Initiatives
  - a. Review existing documentation, plans, studies, and efforts related to the housing market the Town's three-mile planning area.
- 2) Data Collection
  - a. Update data relevant to population, household, housing and employment in the Town's three-mile planning area building on existing study data.
  - b. Update data on cost of producing various types housing units in order to update the Town's cash-in-lieu requirements related to the Town's commercial mitigation and inclusionary housing requirements.
  - c. Update data necessary to determine need, based on the number of employees required, on average, to serve residential and non-residential development types.
  - d. Update the demographic data of tenants/owners in Basalt's existing inventory of subsidized housing and will survey tenants/owners about their future plans and needs for subsidized housing
  - e. Survey of the employees at the largest four employers in Basalt and a survey of a random sample of businesses in Basalt.
- 3) Market Analysis
  - a. Project should include information on the market rate for rental and ownership units and the overall availability of such units across the Town's three-mile planning area to inform housing and rental assistance policies.
  - b. Project shall include analysis of a possible linkage between affordable housing needs in the Basalt three-mile planning area and vacation/short-term rentals including detailed information that quantifies this linkage, and a summary of the methodology used.
- 4) Implementation Strategies and Recommendations
  - a. Provide recommendations to address leading housing needs for specific housing types, rate, ownership/rental mix, and other needs based on the Market Analysis, including whether there is a need to provide subsidized housing for employees making greater than the 120% of AMI which are not currently served by Basalt's income categories
  - b. Develop recommendations to increase housing affordability and choice by considering factors such as job opportunities, education, strategies for employers, economic growth, and access to services.
  - c. Develop recommendations for updating the Town's commercial mitigation and inclusionary housing metrics.
  - d. Develop recommendations for updating the Town's cash-in-lieu fee for affordable housing.
  - e. Develop recommendations to quantify fees, taxes or other measures if a nexus is determined between affordable housing needs and vacation/short-term rentals including information on best practices from other communities that have found a linkage or nexus in this matter.
  - f. The Implementation Strategies should also include a methodology allowing Town Staff to update the data in the needs assessment in the future.

- 5) The products generated by the analysis shall include a written report and a presentation to the Basalt Affordable Community Housing Committee (BACH) and the Basalt Town Council.

### III. PROPOSAL

In order for a proposal to be considered, a proposing Project Team must submit a complete proposal as solely determined by the Town. The proposal shall consist of the following:

#### Section 1 Introduction:

A cover letter from the proposing Project Team stating that it understands the nature and requirements of the proposal process and that it is submitting a bona fide proposal based on the submission requirements. The cover letter must also contain the name, address, email address, and daytime phone number(s) for person(s) to whom additional selection process requests should be communicated.

#### Section 2 Qualifications, Experience, and Capacity:

This section shall identify key staff members to be assigned to the project; their respective roles and responsibilities and their related experience and qualifications. Resumes of key individuals such as the project manager shall be provided. An outline of the team's current volume of work shall also be submitted. The submission shall include a listing and description of recent, similar projects. The listings shall include the following information:

- Location
- Description of Project
- Cost of project
- Client
- Sub consultants
- Project over/under budget and schedule
- Listing of general policy recommendations

#### Section 3 Approach to Proposal:

Provide an outline of how the team would approach each of the Tasks noted above in Scope of Work section. Although the Town understands that the timeline associated with each of these tasks may be difficult to specify; the team should include a proposed schedule associated with each task.

#### Section 4 References:

Include a minimum of five references that include project name, year work completed, contact name, phone number and email address.

#### Section 5 Fee Proposal and Schedule:

Specify the fees to complete the tasks included in the RFP. It is possible that additional services will be needed by the Town which will not be included in the initial contract. Tasks not included in the initial contract will be authorized through additional services or on a time and materials basis.



## IV. SELECTION PROCESS

The Town will conduct a competitive selection process to select a Project Team for the above-described proposal. This process shall be through formal proposals submitted in response to this Request for Proposals. The selection method will generally follow the guidelines developed under the Qualification Based Selection (QBS) system and will use the criteria identified in paragraph C. below.

### A. SUBMITTAL

1. The Proposing Project Team shall email an electronic copy or mail/deliver a hard copy of their proposal as outlined in the Request for Proposals and Scope of Services.
2. Any questions or comments regarding the Request for Proposals, the Instructions to Proposers or proposal selection process shall be e-mailed to the Town as follows:

James Lindt  
Assistant Planning Director  
[james.lindt@basalt.net](mailto:james.lindt@basalt.net)

The Town's Planning Staff shall review all questions and comments and respond in the form of a formal Addendum to the RFP via e-mail or fax to all Project Teams within 60-hours of receipt of the question or comment.

3. Sealed or electronic Proposal should be sent by email, mail, or hand delivered with the title "RFP for Town of Basalt Housing Assessment" to:

James Lindt, Assistant Planning Director  
Basalt Town Hall,  
101 Midland Ave,  
Basalt, CO 8121.  
[james.lindt@basalt.net](mailto:james.lindt@basalt.net)

4. During the Request for Proposal selection process, all proposals shall remain confidential. The entire selection process (procurement) file shall be opened to the public (which includes all Project Teams) after an agreement is approved by the Town, except those items for which confidentiality has been requested in writing by any Proposing Project Team, and providing that the Town Attorney has reviewed and determined this to be properly confidential under the State Open Records Act and other relevant statutes and regulations.
5. Unsuccessful applicants are entitled to a prompt debriefing by the Town, individually or in a group, at the discretion of the Town Planning Director, on reason(s) for lack of success.
6. All proposal documents submitted and not withdrawn prior to the public opening shall become the property of the Town and may, thereafter, be used by the Town without compensation to the Proposing Project Team for any lawful purpose.

### B. TIME SCHEDULE

The Town will endeavor to use the following timetable:

Monday, March 27, 2023	Request for Proposals publicly advertised and direct solicitations mailed.
Tuesday, April 11, 2023	Pre-proposal conference at 10:00 a.m., Basalt Town Hall, Town Council Chambers, 101 Midland Avenue, Basalt, CO. A preliminary conference will be held to answer any questions or comments interested Project Teams may have. A virtual attendance option will be made available the week of the pre-proposal conference.
<b>Monday, May 1, 2023</b>	<b>EMAILED OR SEALED PROPOSALS MUST BE RECEIVED BY 4:00 PM, MDT</b> , by email to <a href="mailto:James.lindt@basalt.net">James.lindt@basalt.net</a> or by mail at 101 Midland Avenue, Basalt, CO 81621.
Thursday, May 4, 2023	Meeting of Selection Committee; checking of references; selection of up to (3) Project Teams to interview if necessary.
Wednesday, May 10, 2023, and/or Friday, May 12, 2023	Interviews with short-listed Project Teams if necessary.
Wednesday, May 17, 2023	Notice of Award Issuance
Thursday, May 18, 2023	Begin Contract Negotiations with the successful Project Team.
Tuesday, May 23, 2023	Town Council Review of Contract
Monday, May 24, 2023	Notice to Proceed Conference, Project Initiation Meeting

#### C. EVALUATION CRITERIA AND WEIGHING

Selection of the "short-listed" Project Teams to be interviewed and/or the selection of the top-ranked Proposer will be based upon the following criteria and relative importance (or as the same may be amended or supplemented by published secondary selection criteria, if any):

1. Comprehensiveness, responsiveness, professional quality, creativeness and overall value of the Proposal to the purpose and requirements of this solicitation **45%**
2. Qualifications of the Project Team, including experience on similar projects in similar environment. **30%**
3. Compensation proposal, including budget for phases. **10%**
4. Schedule, including proposed phasing. **5%**
5. Three relevant, recent client references within the last five years. List contact name, organization, project name, phone number and e-mail address. **10%**

#### D. SELECTION COMMITTEE

1. The members of the Project Selection Committee will be appointed by the Town Manager and shall include a recommendation from BACH.

## E. CONTRACT/LEGAL/TERMS AND CONDITIONS

1. THIS REQUEST FOR PROPOSAL (“RFP”) IS NOT A COMPETITIVE BID BASED ON PRICE ONLY. The request for proposal allows the Town to select the Offeror that best meets the needs of the Town, taking into consideration proposer qualifications, price, products, and service capabilities and other factors relevant to the Town’s policies, programs, administrative resources, and budget.
2. This RFP has been published at the Town’s website at [www.basalt.net](http://www.basalt.net). Any modifications to this RFP or addenda pertaining to this RFP will be published to the Town website, and all proposers are responsible to periodically check the Town website for relevant updates prior to the submittal of a proposal.
3. All participating proposers, by their signature, agree to comply with all of the terms, conditions, requirements, and instructions of this RFP as stated in this RFP. Should the Town omit anything from this document which is necessary to a clear understanding of the work, or should it appear that various instructions are in conflict, then the proposer shall contact the Town and secure written instructions from the Assistant Planning Director at least 48 hours prior to the time and date of the scheduled opening of the proposals.
4. The Town reserves the right to:
  - a. Reject any and all proposals received as a result of this RFP;
  - b. Waive or decline to waive any informalities and any irregularities in any proposal or responses received;
  - c. Adopt all or any part of the proposer’s proposal;
  - d. Negotiate changes in the scope of work or services to be provided;
  - e. Withhold the award of contract.
  - f. Request additional information or clarification from proposal, or to allow correction of errors and omissions.
  - g. Select the proposer it deems to be most qualified to fulfill the needs of the Town. The proposer with the lowest priced proposal will not necessarily be the one most qualified, since a number of factors other than price are important in the determination of the most acceptable proposal.
5. All proposals must be signed by an authorized agent of the Offeror. Any Offeror submitting a signed proposal shall be deemed to have read and understood all of the terms, conditions and requirements of this RFP.
6. The Town shall not be liable for any costs incurred by the proposer in the preparation and production of the proposal, contract negotiations or for any work performed prior to the execution of a contract.
7. All proposals and other materials submitted shall become the property of the Town.
8. The successful proposer shall be required to enter into a written contract with the Town in a form approved by the Town’s Attorney. In the event of any conflict between this RFP and the contract, the terms and conditions of the contract shall control.
9. The Town reserves the right to conduct discussions with proposers, to accept revisions of proposals, and to negotiate price changes at the sole discretion of the Town. During this discussion period, the Town will not disclose any information regarding proposal submittals. The Town reserves the right to ask for the “Best and Final Offer.” Upon the execution of the contract(s), the proposals will become public record and contents may be disclosed upon request subject to conditions in Paragraph 17 below.

10. The successful proposer shall be required to indemnify and hold the Town and its agents and employees harmless from and against all suits or actions of any kind, including workers' compensation claims, brought against them for or on account of any damages or injuries received or sustained by any parties, by or from any acts of the successful proposer or its agents or employees in fulfilling its contractual duties to the Town.
11. The successful proposer shall have their insurance company send the Finance Director a currently in-force Certificate of Insurance which indicates that insurance coverage has been obtained, including professional liability, which meets the minimum requirements as are required by Colorado law for work performed by the proposer and other insurance requirements as may be set forth in the written contract with the Town.
12. The successful proposer shall comply with all applicable federal, state, and local laws, regulations, administrative rulings, and codes, and shall secure all necessary licenses and permits in connection with this RFP and any goods or services to be provided hereunder. By submitting a proposal to the Town, the proposer certifies pursuant to § 8-17.5-102(1), C.R.S., that, at the time of the submittal of the proposal, it does not knowingly employ or contract with an illegal alien and that the proposer will participate in the e-verify program or the employment verification program established by the Colorado Department of Labor and Employment in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the written contract with the Town.
13. By submission of the proposal, the proposer certifies that the proposal has been arrived at independently and submitted without collusion with any other proposer, and that the contents of the proposal have not been communicated by the proposer, or to the proposer's best knowledge and belief, by any one of its employees or agents, to any person not an employee or agent of the proposer, and will not be communicated to any person prior to the official opening of the proposals.
14. The Town is exempt from sales, use, and excise taxes. Certification of tax exemption will be issued to the proposer upon request. Any appropriate taxes shall be shown as a separate item in the proposal.
15. Proposers may be requested by the Town to make oral presentations as part of the evaluation process.
16. The Town reserves the right to retain all proposals submitted and to use any ideas the request for proposals unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Town and the firm selected.
17. Public Inspections of Proposals. The Town is a Colorado governmental entity. Therefore, all information included in proposals and other written information submitted by the proposer to the Town is subject to the provisions of the Colorado Open Records Act, Colorado Revised Statutes Sections 24-72-201, et seq. ("CORA"). Proposers should expect that the proposal may be viewed by the general public and competitors once submitted to the Town and opened by the Town. If proposer requests any restrictions on the use or inspection of material contained within the proposal, Proposer must:
  - a. Clearly identify and segregate any portion(s) of its proposal that it believes constitutes trade secrets, privileged information, and/or confidential commercial, financial, geological or geophysical data, which may not be subject to disclosure under CORA ("Confidential Information");
  - b. Place a cover page on such segregated Confidential Information requesting that such Confidential Information be restricted from inspection under CORA; and

- c. State with such request, on the cover page, the statutory basis for the request under CORA.

Neither a proposal, in its entirety, nor proposal price information will be considered Confidential Information. Any information that will be included in any resulting contract cannot be considered Confidential Information. Co-mingling of Confidential Information with information that is not Confidential Information is not acceptable.

If Proposer fails to satisfy (a) through (c) set forth above, the Town may treat the entire proposal as a public record available for inspection by the public under CORA. However, if Proposer satisfies (a) through (c), the Town intends to redact or withhold such identified and segregated material in response to a CORA request to the extent it determines such proposal materials may be withheld. If the Town is subject to a legal challenge (e.g., mediation, litigation) as a result of the redaction or withholding of such Confidential Information, Proposer shall be responsible to enter into an agreement with the Town to cover all Town costs incurred, including penalties that may be imposed by a judge, to defend its CORA response, with the Town retaining full discretion on how to defend and to what extent. If Proposer fails to enter into such agreement, it shall be discretionary with the Town whether to defend the legal challenge.

18. No Waiver of Governmental Immunity. Nothing in this RFP or any resulting agreement shall be construed to waive, limit, or otherwise modify any governmental immunity that may be available by law to the Town, its officials, employees, contractors, or agents, or any other person acting on behalf of the Town and, in particular, governmental immunity afforded or available pursuant to the Colorado Governmental Immunity Act, Title 24, Article 10 of the Colorado Revised Statutes.
19. The selected Offeror will be required to execute and perform work subject to the following documents as agreed upon by the Town of Basalt and the Proposer:

**Town of Basalt – Professional Services Agreement**