



## Legislation Details (With Text)

<b>File #:</b>	ID-66-20	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	2/7/2020	<b>In control:</b>		City Council	
<b>On agenda:</b>	2/18/2020	<b>Final action:</b>			
<b>Title:</b>	A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, TO FIND AND ACKNOWLEDGE THAT GOOD CAUSE EXISTS AND THAT IT IS IN THE BEST INTERESTS OF THE CITY TO WAIVE THE FORMAL REQUEST FOR PROPOSAL PROCEDURES FOR CONTRACT RENEWAL WITH FISCHER, BROWN, BARTLETT, AND GUNN, P.C., FOR THE PROVISION OF WATER-RELATED LEGAL SERVICES TO THE CITY IN THE NOT-TO-EXCEED AMOUNT OF ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000), AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT ON BEHALF OF THE CITY				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. FBBG 2020 Combo Reso

Date	Ver.	Action By	Action	Result
2/18/2020	1	City Council		

### Department of Finance - Division of Procurement & Contracts

**Reference:** *A Resolution Of The City Council Of The City Of Brighton, Colorado, Acting By And Through Its Water Activity Enterprise, to find and acknowledge that good cause exists and that it is in the best interests of the City to waive the formal Request For Proposal Procedures For Contract Renewal With Fischer, Brown, Bartlett, And Gunn, P.C., for the provision of water rights-related legal services to the City in the not-to-exceed amount of One Hundred Seventy-Five Thousand Dollars (\$175,000), and to authorize the City Manager to execute a Professional Services Agreement on behalf of the City*

**To:** Mayor Gregory Mills and Members of City Council

**Through:** Marv Falconburg, Acting City Manager

**Prepared By:** Michael Woodruff, Director of Infrastructure

**Date Prepared:** February 6, 2020

### PURPOSE

Consider a resolution waiving the Request For Proposal (RFP) process for Fischer, Brown, Bartlett, and Gunn, P.C. ("FBBG"), and authorizing the renewal of a Professional Services Agreement for a term ending December 31, 2020, to represent the City of Brighton as special water counsel, particularly with respect to water rights procurement and protection.

### STRATEGIC FOCUS AREAS

Supportive, Sustainable Infrastructure  
Financially Responsible

## **BACKGROUND/HISTORY**

- FBBG has served as special water counsel to the City since 1985. In that time, they have developed an in-depth understanding of the City's water supplies, systems, existing decrees, and current water court cases. The company's Brighton-specific experience and knowledge base allows them to give superior service in the many ongoing court cases and agreements in which the City is involved.
- FBBG provides quality services at a competitive hourly rate.
- FBBG is retained on an as-needed basis. Their time is closely monitored by staff and is limited by the Council-approved budget.

## **FINANCIAL IMPACT**

This contract is paid out of the approved 2020 operating budget. No additional funds are requested at this time. Fischer, Brown, Bartlett, and Gunn, P.C. is retained on an as-needed basis only and must have direction from City staff before moving forward with any work.

## **STAFF RECOMMENDATION**

Based on FBBG's quality service, competitive pricing, and tenure with the City, staff recommends the approval of the resolution waiving the RFP process for Fischer, Brown, Bartlett, and Gunn, P.C., and authorizing the renewal of their Professional Services agreement for a term ending December 31, 2020.

## **OPTIONS FOR COUNCIL CONSIDERATION**

The Council may take any of the following actions:

1. Approve proposed resolution
2. Reject proposed resolution
3. Postpone consideration of proposed resolution

## **ATTACHMENTS**

- Resolution