



# DESIGN CONCEPTS

Community + Landscape Architects

January 8, 2018

Paul Glasgow  
Director of Community Development  
Town of Lyons  
432 5<sup>th</sup> Avenue  
Lyons, CO 80540

## Re: Add-Service Funding Request

Dear Paul:

Design Concepts started work with the Town of Lyons in November 2016 to develop the *Lyons Land Use & Management Plan for Deed Restricted Buy-Out Properties* ('DRBOP Plan'). We have met all requirements of our contract scope, and by any estimation, led a successful project. The opinion of many local citizens who have commended us privately and publicly is that our process and deliverables have exceeded all expectations.

Several aspects of the project that Town staff directed us to continue involved more time and materials than originally scoped. These include:

- **The nationally unprecedented licensure program and supporting materials:** This effort included legal coordination, Town Board involvement, document drafts, staff policy development, and graphic design to an extent well beyond what was scoped. The product has been so well received that these documents are being submitted by the Town for an award.
- **Planning of the Martin Property to explore potential for revenue generating uses on site:** After extensive discussion with Town staff we agreed to conduct several additional public meetings and undertook additional coordination toward convincing the public that this type of use could be beneficial. Ultimately the process yielded the same public resistance to the impacts of revenue bearing uses as it did when we originally proposed the idea.
- **Site grading and hydraulic modeling for construction as part of already funded earthwork:** Grading design was intended to dovetail with flood mitigation earthwork already planned, with new landforms intended create a more dynamic user experience. Flood recovery work was scheduled for late spring 2017 to build an overflow channel in the St. Vrain River confluence. We coordinated acquisition of HEC-RAS CAD files, undertook initial grading design, and worked with Amec Foster Wheeler, our civil engineer, to model a context sensitive plan.
- **Public process including more than 30 public forum meetings:** Our original scope of work outlined a robust public process. As the project unfolded, the extent and number of meetings requested by staff to ensure success was far more than was offered within scope.

These efforts were undertaken only after discussion with Town staff including Matt Manley, Dave Cosgrove, Joe Kubala, and Paul Glasgow. At staff's direction, since it was recognized that our efforts were beyond scope, a proposal was submitted to the Colorado Department of Local Affairs to allocate the balance of funds originally approved (an additional \$12,400 to total \$160,000) and budgeted for this project. After

initial review, DOLA outlined changes to the proposal. It was revised and resubmitted. The request was surprisingly denied, likely due to emergency relief efforts by FEMA to address hurricane damage in Texas.

Although the Town had originally received greater funding than our budget, we requested only the amount needed for our scope at project start. We agreed with the original Town Planner, Matt Manley, that the balance could be applied to the project if needed as the plan developed. By rejecting our proposal, DOLA stripped us of this additional budget to complete our work.

To date our small consulting firm is more than \$23,000 over budget. **It would require a total of \$21,000 to prevent actual loss on the project. We request from Town of Lyons payment for the amount that we had solicited from DOLA, a total of \$12,400.** Please acknowledge our actual billable overage as you consider this more modest request.

We have delivered the highest quality services and product. Design Concepts has effectively been funding the project since September 2017. We did not undertake the additional work outlined without direction, nor did it benefit our office. The unfortunate fact that a hurricane diverted all FEMA funds that DOLA was likely counting on should not leave a small, local consultant entirely responsible for efforts that did benefit the Town. This is especially true following a widely successful effort.

It has been a pleasure to work with the Lyons community over the last year. We are thrilled the DRBOP Plan was recently approved unanimously by the Town Board of Trustees. Our Design Concepts team was personally and professionally invested in this project. We were happy to produce an unprecedented final product that will be highly beneficial to the future of Lyons.

We request that Town recognize our commitment to this project and support our efforts to recoup these losses.

Very Truly Yours,



Axel Bishop  
Principal  
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January 8, 2018