



DENVER

DEPARTMENT OF FINANCE

REQUEST FOR PROPOSALS FOR

Restaurant At McNichols Civic Center

City and County of Denver Division of Real Estate

Initial Release: February 6, 2026



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DEPARTMENT OF FINANCE
CITY AND COUNTY OF DENVER

REQUEST FOR PROPOSALS
RESTAURANT AT MCNICHOLS CIVIC CENTER BUILDING

NOTICE OF AVAILABILITY OF REQUEST FOR PROPOSALS

IT SHALL BE CONCLUSIVELY PRESUMED THAT THE PROPOSER DID, BEFORE SUBMITTING A PROPOSAL, CLOSELY REVIEW THE RFP, ALL EXHIBITS AND ATTACHMENTS, AND OTHER ITEMS RELEVANT TO THE RFP.

RESPONSES DUE:

Proposals must be submitted electronically via email; see Section C – *Submittal Requirements* for details. Responses must be received no later than:

12:00 PM MST, March 27, 2026

SUMMARY OF REQUEST FOR PROPOSALS

GENERAL DESCRIPTION: The City and County of Denver Department of Finance is soliciting proposals for a restaurant at McNichols Civic Center Building.

PRE-PROPOSAL MEETING & TOUR: Proposers are encouraged to attend the pre-proposal meeting which shall take place in-person March 5, 2026, at 10:00 A.M. MT at the McNichols Civic Center Building (First Floor), 144 W. Colfax Ave., Denver, CO 80202. Interested attendees are asked to RSVP to DAV_Downtown@denvergov.org by March 4, 2026.

Important: Attendees should anticipate wearing a hard hat and must have closed-toe shoes for the site visit.

DESIGNATED CONTACT: Michelle Luko, Department of Real Estate Asset Manager, is the Designated Contact for this Request for Proposals. All inquiries and questions regarding proposals should be directed to her in writing at Michelle.Luko@denvergov.org.

REVIEW PROCESS: The Director of Real Estate issued this solicitation pursuant to the authority vested in the Executive Director by the Charter of the City and County of Denver. The Executive Director of Real Estate reserves the right to terminate, suspend, or modify the selection process; reject any or all submittals; modify the terms and conditions of this selection process; and/or waive any informalities, irregularities, or omissions in any submittals, as the City's best interests may appear.

Lisa Lumley, Director of Real Estate

SECTION A: INVITATION TO SUBMIT PROPOSAL

A.1 INVITATION TO SUBMIT A PROPOSAL

By issuance of this Request for Proposals (“RFP”), the City and County of Denver (the “City”), acting through the Director of Real Estate (the “Director”), invites all qualified proposers to submit a proposal for the award of a Lease Agreement for the purpose of establishing and operating a restaurant on the first floor of the McNichols Civic Center Building at 144 W. Colfax Ave., Denver, CO 80202. The available restaurant space is approximately 4,607 square feet, with an additional 2,077 square feet of outdoor patio space (totaling approximately 6,684 square feet).

Proposers are expected to familiarize themselves with the details in connection with the proposed operations. Any person, firm, entity, joint venture, or corporation desiring to submit a proposal shall examine this RFP and shall judge for themselves their own qualifications and all the circumstances and conditions affecting their proposal. Failure on the part of any proposer to make such thorough examination or to thoroughly investigate the conditions of the proposal shall be grounds for a declaration that the successful proposer did not understand the RFP. Proposals shall be disqualified if the proposer is in default or past due under any previous or existing agreement with the City, if any unresolved monetary claims by the City exist against the proposer, or if the proposer is unable to show evidence of their financial capabilities to execute the work of this contract.

Should a proposer find a discrepancy or omission in this RFP, or should a proposer be in doubt as to the meaning of any provision of this RFP, the proposer should promptly notify the Designated Contact in writing, and any necessary clarifications or addenda will be provided in writing to all proposers. All communications regarding this proposal shall only be through the designated contact. No communication is to be directed to any other City personnel. **THE CITY WILL NOT BE RESPONSIBLE FOR ANY ORAL INSTRUCTIONS OR INTERPRETATIONS GIVEN BY OR TO ANYONE.**

The instructions contained within are not intended to completely define the proposed contractual relationship between the City and County of Denver and the successful proposer. The successful proposer and the City and County of Denver will execute a formal contract to be completed post award.

In making a final selection recommendation, the competitive selection process provided under this RFP will focus consideration on the qualifications and prior history of similar performance of each submitting proposer, in accordance with the evaluation criteria set forth in E.1. Written responses to this RFP will enable the City to select the most qualified candidate. The Director will appoint a selection committee to evaluate the proposals. The selection committee will recommend a finalist or finalists to the Director who will decide on the successful proposer and will approve the contract before submittal to the Denver City Council and Mayor for ordinance approval, if applicable, and Mayoral signature of the contract. **NO RIGHTS TO PROVIDE SERVICES SHALL**

ARISE UNLESS AND UNTIL THE CONTRACT IS APPROVED BY ORDINANCE (IF APPLICABLE) and signed by the Mayor.

The City reserves the right to postpone or cancel this RFP, or reject any and all proposals, if in its judgment it deems it to be in the best interest of the City to do so.

The Director of Real Estate reserves the right to waive any technical or formal errors or omissions and to reject any and all proposal(s), or to award contract for the items hereon, either in part or whole, if he deems it to be in the best interests of the City to do so.

The City shall not be liable for any costs incurred by proposer in the preparation of proposals or for any work performed in connection therein.

A.2 SCHEDULE OF EVENTS

RFP Release	February 6, 2026
Pre-Bid Site Visit – all respondents are invited and encouraged to attend; enter at west end of building	March 5, 10:00 a.m. MT to 11:00 a.m. MT
Deadline for Respondents to Submit Questions	March 13, 2026, 10:00 a.m. MT
Deadline for City to Respond to Questions	March 20, 2026, 10:00 a.m. MT
Deadline for Submission of Proposals	March 27, 2026, 12:00 PM. MT

SECTION B: SCOPE OF WORK

B.1 GENERAL DESCRIPTION

The Division of Real Estate, in partnership with Denver Arts & Venues (DAV), is seeking a first-class restaurateur to lease and activate the first floor and outdoor patio of the historic McNichols Civic Center Building, located at 144 W. Colfax Ave., Denver, Colorado. This RFP presents a unique opportunity to establish the first full-service restaurant in Civic Center Park, offering a signature amenity that serves downtown workers, residents, and visitors.

The restaurant will offer both indoor dining and outdoor patio seating with direct views of Civic Center Park. The concept should be welcoming, creative, and family-friendly—offering a mix of full-service dining and grab-and-go options that support a range of experiences, from casual park picnics to destination meals. The space should feel distinctly Denver: approachable, lively, and rooted in the building’s legacy as a former Carnegie Library and center of learning.

Respondents may also propose to hold the exclusive liquor license for the McNichols Civic Center Building (excluding the second-floor museum), which would allow the selected operator to provide alcoholic beverage service for the restaurant and approved events within the building. The City will retain control of booking rental agreements for the third-floor event space; however, the selected operator may provide bar service for those events under the liquor license arrangement. When the third-floor event space is reserved, the rental may also include the front courtyard and west lawn, and the liquor license holder would be permitted to serve those areas as part of the event. In addition, the selected operator will have the opportunity to book the third-floor event space, courtyard, and west lawn for private events, subject to City policies and approval processes. The City will require compensation for this service based on a percentage of event-related liquor sales, which must be addressed in the respondent’s pricing proposal.

The restaurateur will be expected to collaborate with the City, other tenants, and partners in the building to ensure a cohesive guest experience. The restaurant’s opening will align with the grand reopening of Civic Center Park in Fall 2027.

Denver Arts & Venues will oversee construction to prepare the space, including installation of a full-service kitchen, bar, interior dining area, and a new exterior patio. Denver Arts & Venues will also fund a substantial portion of the buildout, including furnishings, fixtures, and equipment, to support successful activation. Final terms, including cost-sharing and responsibilities, will be based on the selected operator’s proposal and subject to City approval.

The layout and anchor elements of the restaurant will be informed by building assessments and operational needs identified during the design phase. The selected operator will have input on operational details, finishes, and final FF&E selections. All work must comply with the building’s Landmark status, which may include restrictions on exterior signage and modifications.

B.2 BACKGROUND

Denver Arts & Venues (DAV) (artsandvenuesdenver.com) is an agency of the City and County of Denver whose mission is to amplify Denver’s quality of life and economic vitality through premier public venues, arts, and entertainment opportunities.

DAV operates some of the region’s most renowned facilities, including Red Rocks Amphitheatre, the Denver Performing Arts Complex, Colorado Convention Center, Denver Coliseum, and the McNichols Civic Center Building. These venues host a wide

array of public and private events—from concerts and cultural programs to conventions and community gatherings—and contribute significantly to the economic and cultural vibrancy of the Denver metropolitan area. DAV also oversees the Denver Public Art program and a variety of entertainment and cultural events, with a strong commitment to equity, diversity, and inclusion.

McNichols Civic Center Building – 144 W. Colfax Ave., Denver, CO 80204

Originally constructed in 1907 as a Carnegie Library, the McNichols Civic Center Building has long served as a center of learning and civic engagement. The building reopened in 2012 by Denver Arts & Venues as a contemporary hub for arts and culture. A second renovation in 2016 added a redesigned courtyard, expanded event space, upgraded restrooms, and other modern improvements. The building, along with Civic Center Park, is designated a National Historic Landmark.

In addition to hosting special events, social gatherings, exhibits, and other cultural offerings, the McNichols Building is a key asset within Civic Center Park and has been frequently used in conjunction with park-based programming. DAV works closely with Denver Parks & Recreation, other City agencies, and partners such as the Civic Center Conservancy to coordinate year-round activations in the park.

In alignment with the Mayor’s goal to create a vibrant Downtown Denver—and consistent with the Civic Center Next 100 and Civic Center Master Plan—the City is initiating a shift in the McNichols Building’s core operating model. While the venue has historically been used primarily for special events and exhibits, the vision is to increase public engagement and daytime activation across all three floors. Planned uses include:

Third Floor: Event space

Second Floor (Boettcher Cultural Pavilion): Museum

First Floor: Restaurant and outdoor patio, arts marketplace, and potential artist-in-residence pilot program

While funding and planning efforts are underway to activate all three floors, this RFP is specific to the first-floor restaurant and outdoor patio. The City will retain control of booking rental agreements for the third-floor event space and other areas; however, the selected restaurateur may propose to manage the third-floor event space operations, including event setup, staffing, and bar service, subject to City policies and approval. All bookings will remain under the City’s authority, with the restaurateur coordinating event execution as directed.

Catalytic Project Funding

In 2025, the City launched a major investment in Civic Center Park and the McNichols Building through the Downtown Development Authority (DDA). This funding in addition to Denver Arts & Venues’ capital funds will support renovations to the ground floor, including:

- A full-service kitchen
- Indoor dining space

- Outdoor garden dining and a new park-facing patio entrance
- An arts marketplace to further activate Civic Center Park as a downtown destination

Additional DDA funds will support broader park improvements, new infrastructure, a reimaged amphitheater, enhanced lighting, garden walkways, and expanded tree canopy—to make Civic Center Park more accessible and welcoming as a true neighborhood asset.

B.3 SERVICES

The selected restaurateur will be responsible for the operation of a full-service restaurant that supports activation of the McNichols Civic Center Building and Civic Center Park. The restaurant should serve a broad audience, including building invitees, event guests, downtown workers, residents, park users, families, visitors, and the surrounding community.

The City expects the following service standards and operational commitments:

Restaurant Operations

- Operate a full-service restaurant offering lunch and dinner service, as well as grab-and-go options. Ideally breakfast options would also be available.
- Operation shall be open 7 days per week. Hours to be mutually agreed upon but must meet the needs of Civic Center Park visitors, residents, and businesses throughout the area. The City prefers an operator with extended hours, including, at a minimum, full-service lunch and dinner, with a breakfast service option.
- Restaurateur may adjust operating hours in conjunction with events happening at Civic Center Park or nearby venues to better serve guests and increase activation.
- Offer affordable food and beverage options for a variety of audiences.

Special Events

- The restaurateur may schedule or host special events within the leased premises, subject to prior written approval from Denver Arts & Venues.
- Use of the third-floor event space in the McNichols Civic Center Building may be permitted for special events, subject to prior written approval from the Director of Denver Arts & Venues.
- Respondents may propose to hold the exclusive liquor license for the McNichols Civic Center Building (excluding the second-floor museum), which would allow the restaurateur to provide alcoholic beverage service for the restaurant and approved events throughout the building. When the third-floor event space is reserved, the rental may also include the front courtyard and west lawn, and the liquor license holder would be permitted to serve those areas as part of the event.
- The City will retain control of booking rental agreements for the third-floor event space and associated areas; however, the selected restaurateur may propose to

manage event operations, including staffing, setup, and bar service, subject to City policies and approval.

- The restaurateur may also request to book the third-floor event space, courtyard, and west lawn for private events, subject to City approval and applicable fees.
- The City will require compensation for event-related liquor service (excluding restaurant sales) based on a percentage of gross liquor sales, which must be addressed in the pricing proposal.
- Any additional expenses incurred as a result of these events—including, but not limited to, increased utility usage—may be billed to the restaurateur at a flat rate or based on a reasonable cost allocation determined by the Denver Arts and Venues.

Staffing and Management

- Employ a sufficient number of trained personnel to ensure prompt, courteous, and efficient service at all times.
- Appoint a full-time, experienced manager to represent the restaurateur and serve as the primary point of contact for all matters related to restaurant operations.

Facility Standards

- Maintain the premises in a clean, orderly, and businesslike condition at all times.
- Ensure timely disposal of trash and debris, and maintain cleanliness inside and outside the restaurant, including the patio and adjacent areas.
- Restaurateur is responsible for cleanup of any trash and/or spillage inside the premises in a timely manner to prevent any damage to City property and avoid risk of injury.
- Provide appropriate signage, subject to review and approval in accordance with the building's Landmark status.
- Maintain all restaurateur-supplied furniture, fixtures, and equipment (FF&E) in good working order, consistent with manufacturer guidelines and industry standards.
- City-owned kitchen equipment will be maintained by the City or its designated contractor during the warranty period. After the warranty period expires, the restaurateur shall be responsible for routine maintenance, cleaning, and any repairs necessary to keep the equipment in good working order. The restaurateur shall promptly report any major issues or malfunctions to the City.
- Restaurateur shall be responsible for the repair or replacement of any equipment they supply, including Point-of-Sale systems, small wares, and guest-facing amenities.
- In the event of an after-hours emergency requiring immediate attention, the restaurateur may contact an approved on-call vendor to address the issue. The restaurateur must notify the City at the same time the vendor is contacted and provide a summary of the incident and corrective action taken.

Signage

- The restaurateur must submit any proposed signage for the premises in writing to the Director of Real Estate for prior approval.
- All signage must comply with the standards established by the Executive Director, as well as all applicable zoning regulations, code requirements, and landmark requirements.

Conduct and Appearance

- Ensure all staff, contractors, and representatives maintain a professional demeanor and appearance, and are easily identifiable while on site.
- Take responsibility for the conduct of all personnel and vendors associated with the operation.

Product Quality and Safety

- Provide high-quality food and beverage offerings, with regular monitoring of product freshness and expiration dates.
- Ensure compliance with all applicable health and safety regulations.

Sustainability and Waste Management

- Dispose of trash and recycling in accordance with City of Denver policies.
- Support the City’s sustainability goals, including energy and water conservation, use of biodegradable containers, and participation in recycling and composting programs.

B.4 OPERATIONS & SECURITY

Restaurateur shall submit to the City for approval, on or before the commencement date, detailed written procedures covering daily operations and security protocols for the restaurant. City shall have a minimum of twenty-one (21) days to review such procedures.

Operations shall fully comply with all applicable rules and regulations.

City shall not be responsible for loss or damage to any property or person occasioned by theft, fire, Act of God, public enemy, or other causes beyond its control.

B.5 OPERATION EXPENSES

The restaurateur shall be responsible for providing and covering the cost of janitorial services for the leased premises, including all interior areas and restrooms. The City will provide janitorial services for common areas only.

The restaurateur shall also be responsible for:

- Telecommunications and Wi-Fi services
- The cost of extra or replacement keys
- Any security personnel or systems
- The repair of any damage to the premises caused by the Lessee or its invitees
- Routine cleaning and maintenance of the grease trap and vent hood systems at a minimum of once per quarter, or more frequently as required by applicable health and safety regulations

- Perform a comprehensive kitchen deep clean at least twice per year, including floors, walls, ceilings, equipment surfaces, and areas behind appliances, to maintain compliance with health and safety standards. Additional deep cleans may be performed at the restaurateur's discretion.

The restaurateur shall be responsible for any portion of a single repair or maintenance item costing up to \$2,500. The City shall be responsible for any costs exceeding \$2,500 for a single repair or maintenance item.

Additional utility or operational costs incurred as a result of special events approved under the Minimum Services and Operating Requirements section shall be billed to the restaurateur, as outlined in that section.

The City shall be responsible for all other building expenses related to standard daily operations, including but not limited to: electricity, gas, water, sewer, chilled water (for building cooling), steam (for building heating), fire systems, fire phone lines, daily janitorial services to common areas, exterior litter pickup, trash hauling, and snow removal (including the snow melt system) from building entries and sidewalks surrounding the building.

B.6 RESTAURATEUR QUESTIONS

Your proposal must specifically address each of the questions that are listed below. The quality and detail of your responses will figure significantly in the overall evaluation of your proposal. Restaurateurs are encouraged to give examples and provide additional information to support your compliance on each point. To standardize the format of all proposals, Restaurateurs are required to respond to all questions in **Attachment 1- Proposer Response Form**. Failure to comply with this requirement may be considered as non-responsive and rejected.

Section 1: Contact Details

Provide the following information:

- Company name
- Business address
- Primary contact name
- Email address
- Phone number(s)

Section 2: Qualifications & Experience

1. Provide information about your company's relevant experience in the restaurant or food service industry. Include details about past and current locations, landlord contact information, and the dates of operation. The City reserves the right to request audited or unaudited financial statements.

2. Attach the resume or job description of the proposed on-site manager responsible for restaurant operations.

Section 3: Concept & Approach

1. Describe your proposed restaurant concept, including visuals as appropriate. Please address the following:

- a) The theme or design aesthetic, and how it complements the historic character of the McNichols Civic Center Building.
- b) How the concept supports a vibrant, inclusive gathering space that welcomes a diverse range of patrons.
- c) Your approach to offering a variety of price points and experiences—from full-service dining to grab-and-go options for park visitors.
- d) Include a sample menu with unit pricing.

2. Explain how your restaurant will become a must-visit destination in Civic Center Park. Describe how your vision aligns with the Downtown Denver Development Authority (DDDA) Plan of Development (denvergov.org/Government/Citywide-Programs-and-Initiatives/Downtown-Development-Authority) and contributes to increased foot traffic and economic vitality in Upper Downtown.

3. Provide a foundational marketing plan, including:

- a) Description of your target audience and primary offerings.
- b) Advertising strategies and promotional efforts.
- c) Incentives or programs to build brand recognition and drive awareness of the location within the community.

4. Describe how your restaurant will support the City's sustainability goals.

- a) What visible practices will demonstrate your commitment to environmental responsibility (e.g., composting, recycling, energy and water conservation)?

5. Provide proposed hours and days of operation for both indoor and patio service.

- a) Include any seasonal adjustments or extended hours during events.

6. Describe how your restaurant will operate in harmony with special events and activities in Civic Center Park and other areas of the McNichols Building.

- a) Indicate whether you are interested in serving as the preferred (but not exclusive) caterer for building events.

b) If applicable, describe any interest or experience in operating arts-related retail spaces integrated into or adjacent to the restaurant footprint.

7. Share your anticipated timeline for launching operations, including key milestones and rationale.

8. Describe your approach to diversity, equity, and inclusion, and how your restaurant will reflect and serve the diverse Denver community.

9. Describe your operating plan for the following:

a) Management structure

b) Total number of full-time and part-time personnel, number of employees per shift, hiring goals, proposed wage scale, employee benefits, and retention strategies

c) Employees' experience level

d) Internal controls and recordkeeping

e) Communication protocols with City staff and emergency services

f) Customer service philosophy and complaint resolution process

g) Infrastructure needs: anticipated tenant improvements, fixtures, equipment, and other operational requirements—and how you plan to provide them

h) Sustainability practices: recycling, compostable materials, and other visible efforts

i) Coordination with City-led marketing and outreach efforts, including how the restaurant will participate in broader Civic Center Park and McNichols Building promotional initiatives.

10. Disclose if your company is party to any current or pending litigation.

Section 4: Financial Backing

1. Describe your methods for tracking and reporting all sales to the City, and for maintaining and auditing financial records related to restaurant operations.

2. Have you or your company ever filed for bankruptcy under Chapter 7, 11, or 13?

a) If yes, provide the date, court jurisdiction, amount of liabilities and assets, and current status.

3. If your entity is a partnership, sole proprietorship, or closely held corporation/LLC, disclose whether any partners, owners, or principals have filed for bankruptcy under Chapter 7, 11, or 13, either personally or in connection with a business entity.

4. Describe how your organization will maintain and sustain successful operations. Include revenue models (e.g., dine-in, catering, events, grants, fundraising), and expense models (e.g., staffing, administrative, supplies, capital improvements).
5. Outline any major financial assumptions used to project revenue, gross profit, payroll, interest, and other expenses.
6. Provide a letter of commitment from a financial institution for the anticipated financing amount (attach separately).

Section 5: Pricing

1. See section B.7 below.

Section 6: References

1. Provide the names and contact information for three (3) references for similar projects, who the City may contact, that are free to discuss all aspects of their experience working with your company.

B.7 PRICING

This section shall include a detailed description of the proposed costs and pricing structure. It should address all requirements set forth in Section B, as well as any other items pertinent to your proposal pricing, such as additional discounts or prompt payment terms. To standardize the format of all proposals and allow the City to uniformly evaluate prices submitted, Operators are required to provide this information in **Attachment 1 – Proposer Response Form and Attachment 2 – Pro Forma Statement**. Failure to comply with this requirement may be considered non-responsive and rejected.

Accordingly, you should follow these instructions carefully and provide all data requested in the formats specified herein and in any referenced attachments.

The Premises consists of approximately 4,607 square feet of interior space plus 2,077 square feet of outdoor patio space (totaling approximately 6,684 square feet). The Initial Term is five (5) years, with two (2) additional five-year renewal options.

To support the successful activation of this historic building, the City will provide a majority of the initial restaurant buildout and some basic equipment. No additional tenant improvements will be provided beyond this initial contribution. The Lessee will be responsible for all furniture, smallware, and trade-specific customizations necessary for their concept, subject to prior review and approval by the City.

For Years 1 through 5 of the Initial Term, the City will consider introductory concessions proposed by the Lessee as part of their financial offer.

Commencing with the first renewal term (Year 6) and continuing through any subsequent renewal periods, the lease will be structured as a modified gross lease, with utilities included in the proposed rental rate. Proposers must submit a modified gross lease rate per rentable square foot for the renewal term and any additional renewal options, including proposed annual escalations.

Pro Forma Statement (Attachment 2)

Respondents must complete **Attachment 2 – Pro Forma Statement** to provide a detailed financial projection for the first three years of operations. At a minimum, the Pro Forma must include:

- Gross revenue by category (food, non-alcoholic drinks, alcoholic drinks).
- Cost of sales by category and labor.
- Gross profit, operating expenses, and net income.
- Total percentage payment to the City and County of Denver, calculated from gross liquor revenue.

If the proposer elects to include the liquor license exclusivity and event space management option, the Pro Forma must:

- Clearly state the proposed percentage of gross liquor revenue to be paid to the City for event-related liquor service (excluding restaurant sales).
- Include assumptions supporting this calculation, such as projected event volume, average liquor sales per event, and any booking fees or minimum guarantees.
- Provide explanations of all factors and assumptions in the designated section of Attachment 2.

Failure to provide this information may result in the proposal being deemed non-responsive.

The City recognizes the potential public value of activating the space and will consider the overall benefit to the community as part of its evaluation.

In addition, menu and service pricing should be consistent with comparable offerings in the immediate area to promote accessibility and competitiveness.

Proposals that demonstrate cost-effective pricing and a clear understanding of the City's commitment to fiscal responsibility will be viewed favorably.

The City and County of Denver will not be responsible for any brokerage fees, commissions, or other compensation related to this lease. Any such fees shall be the sole responsibility of the proposing party.

SECTION C: SUBMITTAL REQUIREMENTS

C.1 PROPOSAL SUBMITTAL REQUIREMENTS

Proposers must complete **Attachment 1 – Proposer Response Form** in full, including all questions and requested references, and include it with their proposal submission.

Proposers should include the following additional attachments with their proposal submission. Refer **Attachment 8– Proposer’s Checklist**

- Letter of Introduction
- Provide copies of all existing business licenses in the market/City in which you are currently doing business
- Provide a business plan
- Attach a preliminary floor plan
- **Attachment 2 – Pro Forma Statement** detailing anticipated gross revenues and expenses for 2027 - 2029
- **Attachment 3 – Disclosure of Principles**
- **Attachment 4 – Diversity & Inclusiveness Form**
- Franchise proposers: Provide information on financial capabilities, franchise operations, and the operations of the franchisor. Franchisees must include a letter from franchisor granting approval to propose.

C.2 TECHNICAL REQUIREMENTS FOR THE ELECTRONIC SUBMISSION

An electronic submission is required in order to obtain detailed information about each proposer, which will assist the evaluation committee in making a selection recommendation for the organization that best meets the needs of the City and the Project. IT SHALL BE CONCLUSIVELY PRESUMED THAT THE PROPOSER DID, BEFORE SUBMITTING A PROPOSAL, CLOSELY REVIEW THE RFP, ALL EXHIBITS AND ATTACHMENTS, AND OTHER ITEMS RELEVANT TO THE RFP.

All information responsive to this RFP must be submitted by email to:

realestate@denvergov.org

Proposals must be submitted in PDF format and received no later than the date and time indicated in the RFP. The subject line of the email should clearly state the name of the proposer and the RFP title.

Please note that this email inbox is used for multiple purposes. As such, proposers will not receive an automatic confirmation of receipt. It is the proposer’s responsibility to follow up within 24 hours of submission to confirm that their proposal was received. The City is not responsible for proposals not received due to technical issues, incorrect email addresses, or failure to follow up.

If a proposer is unable to submit electronically due to technical limitations, a request for an alternative submission method must be made in writing to the Designated Contact no

later than the pre-proposal meeting date and time. Approval of alternative submission methods is at the sole discretion of the City.

ACCURACY AND COMPLETENESS OF INFORMATION:

Proposers are hereby notified that the City will rely on the accuracy and completeness of all information provided in making its selection. As such, proposers are urged to carefully review all information submitted to ensure clarity, accuracy, and completeness. The City reserves the right to make inquiries or follow up as necessary to verify the information provided. FAILURE TO PROVIDE ACCURATE OR COMPLETE INFORMATION THAT WOULD BE A SUBSTANTIAL CONSIDERATION IN MAKING A SELECTION MAY RESULT IN REJECTION OF A PROPOSAL OR TERMINATION OF A CONTRACT.

SECTION D: GENERAL REQUIREMENT

D.1 DISCLOSURE OF CONTENTS OF PROPOSALS

All proposals become a matter of public record and shall be regarded as Public Records, with the exception of those specific elements in each proposal which are designated by the proposer as Business or Trade Secrets and plainly marked “Trade Secrets”, “Confidential”, “Proprietary”, or “Trade Secret”. Items so marked shall not be disclosed unless disclosure is otherwise required under the Colorado Open Records Act (C.R.S. §§ 24-72-201 through 205) (“CORA”). If such items are requested under the Colorado Open Records Act, the City will use reasonable efforts to notify the proposer, and it will be the responsibility of the proposer to seek a court order protecting the records, and to defend, indemnify, and hold harmless the City from any claim or action related to the City’s non-disclosure of such information.

D.2 DIVERSITY AND INCLUSIVENS IN CITY SOLICITATIONS

Diversity and inclusiveness are essential components of successful economic development plans and efforts. As a condition of responsiveness to this solicitation, each proposer is required to complete the “Diversity and Inclusiveness in City Solicitations Information Request Form” **online** at <https://us.openforms.com/Form/57f3a8ea-39b7-4115-be17-1770f38d3cf6>. **Print/save and include a copy of the completed form with your proposal**; you will have the option to print/save the form after submission. Using the form, please state whether you have a diversity and inclusiveness program for employment and retention, procurement and supply chain activities, or customer service, and provide the additional information requested on the form. The information provided on the “Diversity and Inclusiveness in City Solicitations Information Request Form” will provide an opportunity for proposers to describe their own diversity and inclusiveness practices. Proposers are not expected to conduct intrusive examinations of their employees, managers, or business partners in order to describe diversity and inclusiveness measures. Rather, the City simply seeks a description of the proposer’s current practices, if any. Diversity and inclusiveness information provided by proposers in response to City solicitations for services or goods will be collated, analyzed, and made available in reports consistent with City Executive Order No. 101. However, no personally identifiable Information provided by or obtained from proposers will be in such reports.

D.3 APPLICABLE LAW

This selection process and the performance of any selected proposer shall be subject to, governed by, and construed in accordance with the laws of the State of Colorado and the Charter, Revised Municipal Code, rules and regulations, written policies, and Executive Orders of the City and County of Denver, as the same may be amended from time to time

D.4 PERMITS & LICENSING

Restaurateur shall be responsible for securing any and all applicable licenses and/or permits required to operate the restaurant. Proof of licensing should be displayed and current at all times. Refer to <https://www.denvergov.org/content/denvergov/en/denver-business-licensing-center/business-licenses.html>.

Provide copies of all existing business licenses for the current market / City in which you are currently doing business.

D.5 ASSIGNMENT AND SUBCONTRACTS

Assignments and subcontracts are restricted.

D.6 HOLD HARMLESS

The successful proposer will be required to provide appropriate indemnification and insurance. The agreement will not be executed until all required proof of insurance has been provided to the Director.

D.7 CONFLICTS OF INTEREST

All proposers must review and comply with the City's Code of Ethics governing City Officers' or Employees' interest in any contract with the City not related to the Officers' or Employees' employment with the City. The Code of Ethics Ordinance can be found here.

The proposer and its subsidiaries, affiliates, subcontractors, principals, or employees shall not engage in any transaction, activity or conduct which would result in a conflict of interest. If applicable, prior to submitting a proposal, the proposer must disclose to the Designated Contact any and all current or potential conflicts of interest, including transactions, activities, or conduct that would affect the judgment, actions, or work of the proposer by placing the proposer's own interests, or the interest of any party with whom the proposer has a contractual arrangement, in conflict with those of the City. The proposer should contact the Designated Contact with any questions regarding what may constitute a conflict. The City, in its sole discretion, shall determine the existence of a conflict of interest and may disqualify proposals in the event such a conflict exists.

D.8 NON-EXCLUSIVE CONTRACT

The awarded contract(s) shall be non-exclusive. In the City's best interests, the City reserves the right to purchase the same materials and services through other procurements.

D.9 ACCESS

The City reserves the right to close or restrict access to the building for special city/park events or city holidays. The Restaurant will be notified in advance and the City will make every effort to keep Restaurant entry/access available.

City has right to close or restrict access building in event of emergencies/safety concerns.

D.10 SECRETARY OF STATE REGISTRATION

Prior to finalization of award and contracting, the successful proposer will be required to furnish a Certificate of Good Standing from the Colorado Secretary of State's Office as proof that they are properly registered to do business in the State of Colorado. See <http://www.sos.state.co.us/pubs/business/businessHome.html> for more information.

D.11 DENVER WAGE LAWS

The services being requested in this RFP may involve services that are covered pursuant to Division 3.75 of Article IV of Chapter 20 of the Denver Revised Municipal Code ("D.R.M.C."), which is designed to address the issue of wage equity and cost of living affordability in the City & County of Denver. The services may also be subject to the City's Wage Theft laws under Chapter 58 of the D.R.M.C. The successful proposer agrees that any contract with the City shall include a requirement that contractor will comply with the provisions of D.R.M.C. §§20-82 through 20-84, including, but not limited to, paying all covered workers no less than the City Minimum Wage for all covered services rendered in connection with the contract; and shall include a requirement that the contractor will comply with provision of D.R.M.C. §§58-1 through 58-26. Additionally, the successful proposer agrees that the contract shall require compliance with all current and future federal and state laws and City ordinances.

D.12 INSURANCE REQUIREMENTS

The successful proposer will be required to obtain and maintain insurance coverage acceptable to the City throughout the term of the agreement. A sample ACORD certificate is provided as **Attachment 6**, which includes the required format and additional insured language.

Based on the nature of the proposed use, the successful proposer may be required to carry some or all of the following types of insurance, subject to final review and approval by the City's Risk Management Office:

- Commercial General Liability (CGL)
- Property Insurance (for proposer-owned equipment or improvements)
- Workers' Compensation (as required by law)
- Business Automobile Liability (if vehicles are used in operations)
- Liquor Liability (if alcohol will be sold or served)
- Cyber Liability (if applicable based on operations)

- Builder’s Risk or Installation Floater (if construction or installation work is proposed)
- All applicable coverages must include a waiver of subrogation in favor of the City. The City and its officers, agents, and employees must be named as additional insureds on all required policies.

Contractors, consultants, and any subcontractors engaged by the proposer must also maintain insurance coverage consistent with these requirements.

Proof of insurance must be submitted prior to lease execution, and updated certificates may be requested by the City at any time during the term of the agreement.

D.13 SUSTAINABILITY

Proposer is expected to minimize environmental impacts throughout day-to-day operations and align with the City’s aggressive climate goals and sustainability efforts

D.14 FRANCHISE PROPOSERS

Franchise proposers must provide the required information on financial capabilities, franchise operations, and information on the operations of the franchisor. Franchisees must include a letter from franchisor granting approval to propose.

D.15 VENDOR PERFORMANCE MANAGEMENT

The City’s Purchasing Department may administer a vendor performance management program as part this proposal and resulting contract. The purpose of this program is to create a method for documenting and advising the Purchasing Department of exceptional performance or any problems related to the purchased goods and services.

Propose as part of your response specific performance measures that may be used to develop a vendor performance management report card. Also provide any other data, criterion or methods that would be effective in measuring vendor performance over the life of this contract.

D.16 BACKGROUND CHECKS:

The successful proposer shall submit to The City’s Background Checks policy and be required to successfully pass a criminal background check. Additionally, any and all employees that may work at City location shall submit to the same requirement.

D.17 ADDENDA

In the event it becomes necessary to revise, change, modify or cancel this RFP or to provide additional information, addenda will be issued to all recipients of this RFP.

D.18 ALTERNATE RESPONSES

It is our intent to solicit proposals that afford the City the most cost efficient, technically responsive proposal for the acquisition (Leasehold Interest) of the subject matter of this RFP. However, we recognize that there may be arrangements different from that requested hereunder that would offer additional benefits to the City while satisfying the

applicable requirements of this RFP. Accordingly, you may submit alternative proposals for consideration, which offer such benefits in addition to the requested primary (baseline) proposal. These alternatives will be evaluated in conjunction with the primary (baseline) approach for each proposal.

D.19 ACCEPTANCE PERIOD

Proposals in response to this RFP shall indicate that they are valid for a period no less than 180 days from the Proposal Due Date indicated on the cover page of this RFP.

D.20 GRATUITIES AND KICKBACKS

It shall be a breach of ethical standards for any person to offer, give, or agree to give any employee or former employee, or for any employee or former employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding of application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefor.

It shall be a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime proposer or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.

In the event that any gratuities or kickbacks are offered or tendered to any City and County of Denver employee, the proposal shall be disqualified and shall not be reinstated.

D.21 NON-COLLUSIVE PROPOSER CERTIFICATION

By the submission of this proposal, the proposer certifies that:

- A. The proposal has been arrived at by the proposer independently and has been submitted without collusion with any other proposer.
- B. The contents of the proposal have not been communicated by the proposer, nor, to its best knowledge and belief, by any of its employees or agents, to any person not an employee or agent of the proposer or its surety on any bond furnished herewith, and will not be communicated to any such person prior to the official opening of the proposal.
- C. No proposer shall submit more than one proposal for this purchase. It shall be the responsibility of each proposer to obtain the prior written permission of the Director of Real Estate before proposal opening in every situation in which the proposer, due to corporate association or other affiliation, may be found to be impermissibly associated with another proposer. Failure to observe this requirement could result in all such affiliated proposals being rejected.

SECTION E: EVALUATIONS

E.1 SELECTION COMMITTEE

The Selection Committee shall consist of Real Estate and Arts and Venue representatives and other appropriate individuals as appointed by the Director. The Selection Committee shall review the written responses to the RFP, consider the causes for rejection or disqualification and the Evaluation Criteria listed in Section E.5, and make its recommendation to the Director. Proposers may be requested to participate in oral interviews to further assess their qualifications.

E.2 CONTACTS

Any proposer who contacts any member of the Selection Committee other than the Designated Contact from the date of issuance of the RFP and prior to the completion of the selection process may be disqualified from further participation in the selection process, at the Director's sole discretion

E.3 DIRECTOR'S DECISION

The Director will review the recommendation of the Selection Committee and decide on a successful proposer. As the City's best interests may appear, the Director reserves the right to terminate, suspend, modify the selection process; reject any or all submittals; modify the terms and conditions of this selection process; and waive any informalities, irregularities, or omissions in any submittal. the Director reserves the right to conduct negotiations with one or more proposers. The proposers will be notified of the Director's decision.

An agreement will be prepared for execution following the submittal of all required documentation by the successful proposer. The contract will then be submitted to the City Council and Mayor for approval by ordinance, if applicable, and Mayoral signature. NO RIGHTS TO PROVIDE SERVICES SHALL ARISE UNTIL THE CONTRACT IS APPROVED BY ORDINANCE (IF APPLICABLE) AND SIGNED BY THE MAYOR.

E.4 CAUSES FOR APPLICATION REJECTION AND DISQUALIFICATION

- Failure to provide complete information and/or documentation as required
- Evidence of collusion or fraud
- Evidence of gratuity or kickback
- Default or termination of other contracts pertinent to proposer's ability and willingness to perform contractual obligations
- Delinquent federal, state, or local tax obligations
- Lack of ability to operate as required
- Omissions or fraudulent statements
- Outstanding debts to the City

- Breach or violation of terms and conditions of existing agreements, licenses, or permits with the City
- Conviction or indictment of a proposer, manager, or staff for a felony involving violence, including sexual offenses, and/or listing of same on the Colorado sex offender registry or a similar sexual offender registry of another state or the federal government
- Not being in good standing with the Secretary of State
- At its discretion, the City does not accept proposals submitted by other governmental agencies

E.5 EVALUATION CRITERIA

The criteria to be used for the proposal evaluation include but are not limited to:

- Qualifications and Experience
- Approach
- Financial Backing
- Response to questions/requests for information as listed in Section B
- Pricing
- Diversity & Inclusiveness in City Solicitations

No weighting or relative importance of criteria is intended or implied by this list.

ATTACHMENTS:

ATTACHMENT 1 PROPOSER RESPONSES FORM

ATTACHED SEPARATELY

ATTACHMENT 2 PRO FORMA STATEMENT

EDITABLE VERSION ATTACHED SEPARATELY

ATTACHMENT 2 - Pro Forma Statement			
PRO FORMA INCOME STATEMENT			
Edit the Pro Forma Income Statement as needed. It must include at a minimum the gross revenue, total cost of sales, gross profit, total operating expenses, and net income. Complete the explanation of factors and assumptions box below.			
PROPOSER NAME:			
	2027 (Year 1)	2028 (Year 2)	2029 (Year 3)
Gross Revenue			
Food			
Non-alcoholic drinks			
Alcoholic drinks			
Total Gross Revenue	\$ -	\$ -	\$ -
Cost of Sales			
Food			
Non-alcoholic drinks			
Alcoholic drinks			
Labor			
Total Cost of Sales	\$ -	\$ -	\$ -
Gross Profit (Gross Revenue minus Cost of Sales)	\$ -	\$ -	\$ -
Operating Expenses			
Office salaries			
Depreciation			
Insurance and bonds			
Repair and maintenance			
Storage			
Indirect costs			
Marketing and advertising			
Rent			
Utilities			
Total Operating Expenses	\$ -	\$ -	\$ -
Net Income (Gross Profit minus Operating Expenses)	\$ -	\$ -	\$ -
Please provide any explanations of factors and assumptions below:			

EXAMPLE ONLY - editable
 version attached separately

ATTACHMENT 3 DISCLOSURE OF PRINCIPALS

Pursuant to D.R.M.C. 20-69: all contract for professional or personal services which will exceed twenty-five thousand dollars (\$25,000.00); all proposals for use of real property of or by the City, the duration of which is one year or longer and which exceeds twenty-five thousand dollars (\$25,000.00) in revenue or cost; and all proposals for concession agreements for the use of City facilities or property must be accompanied by a separate detachable page setting forth the following information:

- (1) the names of any officer, director, owner or principal of the business entity, including the identity of any shareholder who owns or controls 5% or more of the business entity, and either 1) the names of his or her spouse, and children under eighteen years of age; or 2) a statement that he or she or his or her spouse, or children, if any, under the age of eighteen have or have not made a contribution, as defined in D.R.M.C. 15-32, or contribution in-kind, as defined in D.R.M.C. 15-32, to any candidate, as defined in D.R.M.C. 15-32, during the last five years and identifying by name himself or herself or any spouse or child under the age of eighteen who has made such a contribution or contribution in-kind to a candidate.
- (2) the name of any subcontractors or vendors whose share of the proposal exceeds \$100,000.00 of the contract or formal proposal amount; and
- (3) the names of any unions with which the vendor has a collective bargaining agreement.

See the following page for a form which may be used for such vendor disclosure.

The information required in (1) above must be provided at the time of proposal submittal, and the information required in (2) and (3) must be submitted in a timely fashion prior to award.

Failure to provide the required information in a timely fashion shall render any proposal to which D.R.M.C. 20-69 applies non-responsive.

While a vendor who has already disclosed such information need not provide such information with a second or subsequent proposal unless such information has changed, it shall be the responsibility of each such vendor to verify that such information is still current as of the date of such subsequent proposal and is in fact on file with the City Clerk **by so stating and signing the Disclosure Form**. Failure to provide or update the required information in a timely fashion shall render any proposal to which D.R.M.C. 20-69 applies non-responsive.

PROPOSER DISCLOSURE

Bidding Entity's/Proposer's Name

Date this form was completed

Address () _____

Telephone Number

City, State, Zip Code
Officer/Owner

Signature of

Section 20-69, D.R.M.C. requires the disclosure of the name of each officer, director, shareholder who owns or controls 5% or more of the business entity, principal, and owner of each bidding or proposing entity, and either the names of the spouses of those individuals and the names of their children under the age of eighteen (18), or a statement in lieu of the disclosure of the names of such spouses and children as set forth below in the "Certified Statement in Lieu of Disclosure". **The names of officers, directors, 5% shareholders, principals and owners must be disclosed in either event.** Required disclosures also include the names of any subcontractor/supplier receiving more than \$100,000.00 of work and the names of any unions with which the bidder/Vendor has a collective bargaining agreement.

This page may be photocopied if additional space is required.

The individuals listed below are disclosed as having the noted relationship with the business entity/Vendor listed above. Show appropriate letter in the box to the left. Use center box for relationship to another line number: A=Officer, B=Director, C=Principal, D=Owner, E=Controller of 5% or more of the stock, F=Spouse, G=Child under age 18, H=Subcontractor, I=Supplier, J=Union. Identify with an asterisk (*) all listed persons who have made a contribution or contribution in-kind, as defined by Section 15-32 D.R.M.C., within the last five years.

- 1. [] [] _____
- 2. [] [] _____
- 3. [] [] _____
- 4. [] [] _____
- 5. [] [] _____
- 6. [] [] _____
- 7. [] [] _____

- 8. [] [] _____
- 9. [] [] _____
- 10. [] [] _____
- 11. [] [] _____
- 12. [] [] _____
- 13. [] [] _____
- 14. [] [] _____

**BIDDER/CONTRACTOR/PROPOSER CERTIFIED STATEMENT
IN LIEU OF DISCLOSURE OF NAMES OF SPOUSES AND CHILDREN**

I hereby certify that, except as identified by an asterisk above, no officer, director, shareholder who owns or controls 5% or more of the business entity, principal, or owner or his or her spouse or child under eighteen years of age has made a contribution, as defined at Section 15-32 D.R.M.C., or a contribution in kind, as defined at Section 15-32 D.R.M.C., to a candidate, as defined at Section 15-32 D.R.M.C., during the last five years.

Printed Name of Officer/Owner of Bidding/Proposing entity

Signature of Officer/Owner of Bidding/Proposing entity

ATTACHMENT 4 DIVERSITY & INCLUSIVENESS FORM

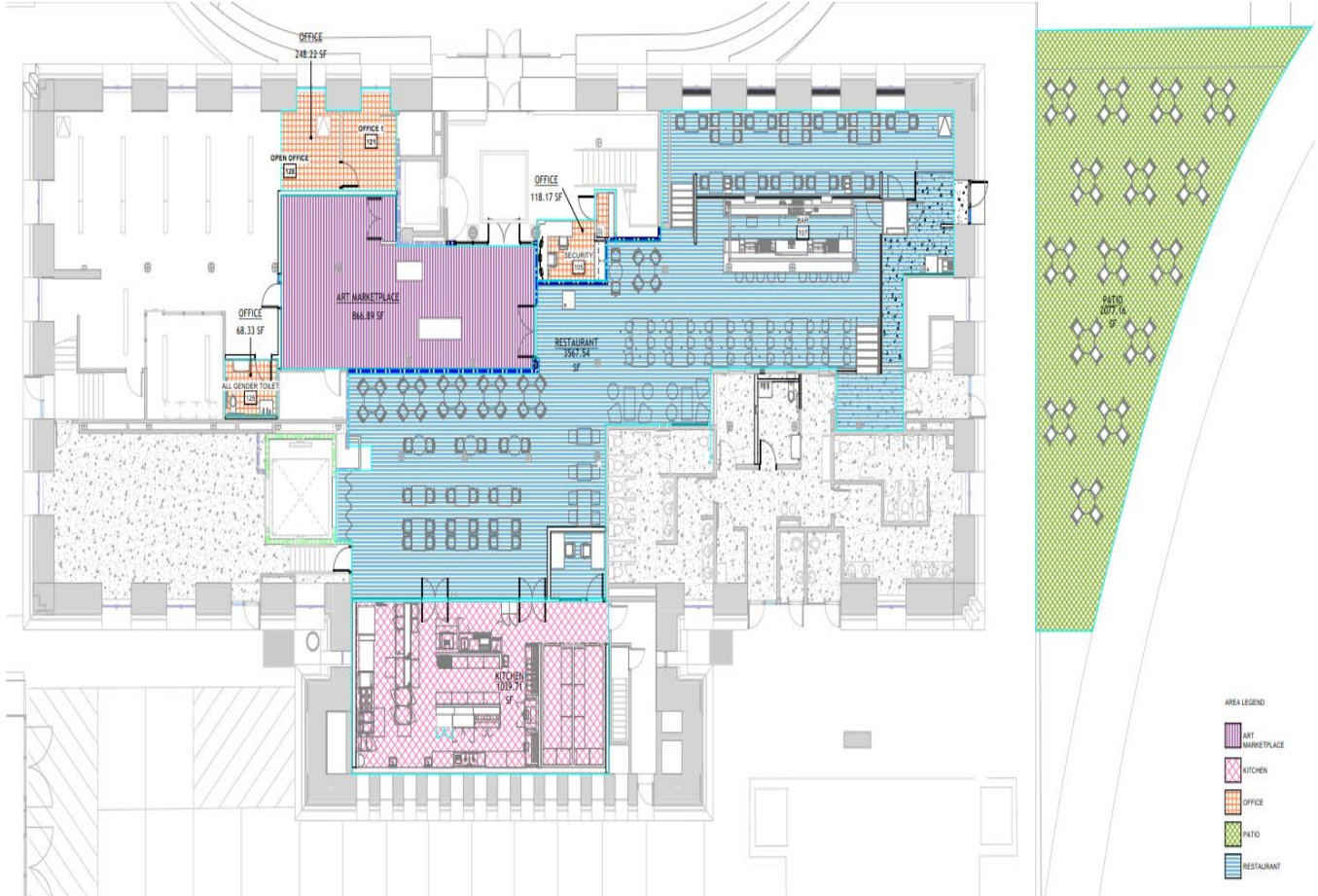
THE DIVERSITY AND INCLUSIVENESS IN CITY SOLICITATIONS INFORMATION REQUEST FORM MUST BE COMPLETED **ONLINE** AT

<https://us.openforms.com/Form/57f3a8ea-39b7-4115-be17-1770f38d3cf6>.

When prompted to “*Enter Email Address of City and County of Denver contact person facilitating this solicitation*” please enter dpr.proposals@denvergov.org

YOU MUST PRINT/SAVE A COPY OF YOUR SUBMISSION AND INCLUDE IT WITH YOUR PROPOSAL

ATTACHMENT 5 SITE PLAN



ATTACHMENT 6 ACORD CERTIFICATE



City and County of Denver Contractor Certificate of Insurance

Contractors, Please provide this sample certificate to your insurance agent or broker
Certificates must mirror this sample

Note the Additional Insured special instructions below

Contractor's Legal Name →

Types of insurance required in contract →

If other insurance (Cyber Liability, Professional Liability, for example) is required, please list it here →

Additional insured language in this box* →

Verify correct address & contact information →

Policy limits must be same or greater than required in the contract →

Policy start date must be prior to effective date of the contract →

***The Additional Insured language must state "As required by written contract, the City and County of Denver, its Elected and Appointed Officials, Employees and Volunteers are included as Additional Insured" with regards to the appropriate policies ONLY.**

Project/contract detail such as the contract name and number can be added to the description box.

Qualifying language such as "subject to the terms and conditions of this policy" and "if required per written contract" **CAN NOT BE ADDED.**

DO NOT attach additional insured endorsements or policies.

If the requirements can not be complied with, we reserve the option to move on to another contractor.

ATTACHMENT 7 PREVAILING WAGES SCHEDULE

ATTACHED SEPARATELY

ATTACHMENT 8 PROPOSER'S CHECKLIST

The following check list should be used to ensure required documentation is attached to the proposal. This form does not need to be submitted as part of your proposal.

REQUIRED DOCUMENTS & FORMS:

1. Proposer Response Form (Attachment 1)
 - a. Includes the following items to attach separately
 - i. On-site manager resume or job description
 - ii. Letter of Commitment from bank
2. Pro Forma Statement (Attachment 2)
3. Disclosure of Principles (Attachment 3)
4. Diversity & Inclusiveness Form ONLINE (Attachment 4). Print or save completed form and include with your proposal
5. Have you attached a letter of introduction
6. Have you attached copies of all existing business licenses in the market/City in which you are currently doing business reviewed all proposal prices, checked unit costs, extensions and totals?
7. Have you attached your business plan
8. Franchise proposers, have you attached a letter from franchisor granting approval to propose.
9. Have you supplied any alternatives or additional information attached separately?