



# Staff Report

April 5, 2021

**To:** Mayor Schmidt and Town Council  
**From:** Mel Yemma, Town Planner II  
**Thru:** Troy Russ, Community Development Director  
**Subject:** Elk Avenue Patios Bid Award (Supplemental Report)

**Background:** This supplemental report provides Staff's assessment of the BIDs the Town received for the Crested Butte Patio Program. The Town issued a Request for Bids for manufacturers to construct and deliver 27 portable, adjustable to level and extend, and ADA accessible, 12' x 24', on-street patios. Patios are to be delivered to Crested Butte no later than June 15, 2021.

The number of patios were determined by a Town survey of eligible Elk Avenue and Third Street businesses interested in having a patio this summer at a cost of \$1,000. Of the 27 eligible businesses, 22 responded yes, 3 responded no; and, 2 did not respond by the deadline (one of these businesses is currently closed). Staff communicated the deadline directly with every eligible business. The table attached at the end of this report shows the summary of the survey findings.

**BID Summary:**

Three sealed bids were opened Friday, April 2, 2021 at 4:00 pm. The table below summarized the bids received.

**Restaurant Patio Program**

BID Summary			
Criteria	Western Precision Manufacturing (Grand Junction)	Modstreet (Durango)	Ben Diem and Tucker Roberts (Gunnison County)
Experience	High bid.	Ref. Check Req.	Ref. Check Req.
Cost	\$972,000	\$486,785 +3% = \$501,388	\$497,070

- *The Town's Purchasing Policy has a local preference stipulation that if a purchase is more than \$200,000, a local business shall be awarded a contract if its bid is within three percent of the lowest responsible bidder who does not have the local business designation.*

**Recommendation:**

The apparent low bid for the patios is from Ben Diem and Tucker Roberts, who are based in Gunnison County. They are within 3% of the lowest responsible bid, which came from Modstreet who is based in Durango. Staff will conduct reference checks of each firm's capabilities and will present that information to Council Monday night along with a staff recommendation.

If Council does not choose the patio alternative, staff recommends Town Council consider one of the following options:

1. Keep the status quo of Elk during the 2021 summer season (with two-way traffic and no additional outdoor seating allowed on Town property)
2. Reconfigure Elk Avenue in 2021 into a one-way street with flower barrel parklets for restaurants (to make up lost capacity from the past year and potential continued COVID-19 restrictions from the summer)
  - If this alternative is pursued, the Town Council could:
    - Resume the status quo on Elk Avenue in 2022 and beyond after the health restrictions associated with the pandemic are removed; or,
    - Further consider a permanent, seasonal reconfiguration in 2022 and beyond
      - *If this option is pursued, due to the scheduled Community Compass/ Comprehensive Plan process, Town Staff will not have the capacity to undergo an additional community conversations regarding Elk Avenue unless Council prioritizes it over the Community Compass.*
      - The Town chooses to allocate funding for patios in the 2022 budget\* and could re-release an RFB for patio manufacturing with an extended timeline and broader reach to potential manufacturers

\*Town Staff does not have an indication if the CDOT grant opportunity will be available in 2022.

### **Attachments**

- 1) 2021 Eligible Businesses Patio Use Survey Results

<b>Business</b>	<b>Patio Survey Response</b>	<b>Number of Patios Requested</b>
Ryce	No	0
Bonez	Yes	2
Kochevars/Slap Burger	Yes	2
Coal Creek	Did not respond (closed)	
Public House	Yes	1
The Last Steep	Yes	1
Montanya	Yes	1
Sunflower	Yes	1
Wooden Nickel	Yes	1
Elk Ave Prime	Yes	2
McGills	Yes	1
Talk of the Town	Yes	1
Eldo	Yes	1
Djangos	Yes	1
Brick Oven	Yes	2
Secret Stash	Yes	2
Teocalli Tamale	Yes	1
Daily Dose	No	0
Rocky Mountain Chocolate Factory	Did not respond	
Niky's Donuts	Yes	1
Tincup Pasty	No	0
Rumors	Yes	1
Sherpa Café	Yes	1
Dogwood	Yes	1
Pitas in Paradise	Yes	1
Marchitelli's	Yes	1
T-Bar	Yes	1
<b><i>Total patios</i></b>		<b>27</b>