Request for Information for Facilitation Services

Issued by the Legislative Council Staff on behalf of the Commission on Property Tax created in House Bill 23B-1003

Please direct inquiries and electronic submissions to:
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I. Background

A. House Bill 23B-1003 and the Commission on Property Tax. House Bill 23B-1003 (Attachment A) creates the Commission on Property Tax (commission). The commission consists of 19 members, including members of the House of Representatives and Senate; representatives of local governments, special districts, and schools; the property tax administrator; advocates; and business leaders. The commission may establish special purpose subcommittees with nonvoting members.

The commission is required to convene the week of December 18, 2023. It must meet at least twice a month through March 15, 2024, and may meet more often at the discretion of the chair; except that the commission need only meet once in December 2023. A majority of the members of the commission may vote to extend the work of the commission past March 15, 2024, or to terminate the work of the commission at any time.

The commission must make a report of its recommendations to the General Assembly and the Governor by March 15, 2024. If a proposed initiative concerning property taxes for the 2024 general election is submitted after the commission submits its report, the commission shall reconvene to consider the effect of the proposed initiative and supplement the report with additional information, if necessary. If the commission votes to extend its work past March 15, 2024, it must submit a report to the General Assembly and the Governor by December 31, 2024.

B. Legislative Council Staff and the Office of Legislative Legal Services ("legislative staff"). The Legislative Council Staff is the nonpartisan research and support agency for the General Assembly. The Office of Legislative Legal Services is the
nonpartisan in-house counsel for the General Assembly. House Bill 23B-1003 directs that these agencies be available to assist the commission in carrying out its duties.

C. Executive Committee of the Legislative Council. The Executive Committee of the Legislative Council (Executive Committee) establishes policies regarding legislative management and procedures in Colorado. The Executive Committee is comprised of six members of legislative leadership - the Speaker of the House of Representatives, the President of the Senate, and the House and Senate Majority and Minority leaders.

II. Purpose and Charge of the Commission

A. Purpose. The purpose of the commission is to identify, consider, and evaluate legislative options for a permanent and sustainable property tax structure for the state that protects property owners and residential tenants from unpredictable and rising property taxes while meeting the needs of governments that rely on property tax to pay for local services.

B. Charge. House Bill 23B-1003 identifies the charge of the commission as follows:

1. To identify, consider, and evaluate legislative options for a permanent and sustainable property tax structure for the state, and, as it deems appropriate, to identify, consider, and evaluate proposed initiatives concerning property tax for the 2024 general election.

2. To identify, consider, and evaluate options for a property tax structure that protects property owners from rising tax bills and is sustainable for local governments and public schools, which may include consideration of property tax proposals that have been submitted to the state title board.

3. For each property tax structure option identified, considered, and evaluated, to consider the following factors:
   a. local control;
   b. impact to property owners and local taxing jurisdictions in different areas of the state;
   c. impact to residential and nonresidential real property;
   d. impact to school finance and the budget stabilization factor;
   e. long-term impact to property owners and local taxing jurisdictions under different property value growth scenarios;
   f. impacts to housing affordability, including for residential tenants;
   g. impacts to residential tenants, incentives for development, and the potential for lower property taxes for residences as a result of changing to a land value tax system;
   h. impacts to the ability of counties to provide statutorily mandated and voter-approved services to Colorado residents; and
   i. disproportionate impacts of the rising tax bills on people with lower incomes, especially people with fixed incomes, in providing fair and equitable property tax relief.

C. Report. The commission must issue a report to the General Assembly and the Governor including recommendations for both short-term and long-term legislative changes that will further the purpose of the commission. As it deems appropriate, the commission must include an evaluation of proposed initiatives concerning property tax for the general election that address the items listed in section II. B. 3. of this request for information (RFI).
III. Scope of Work

As directed by House Bill 23B-1003, the commission seeks facilitation services to support and guide the work of the commission.

A. Required Duties. The duties of the facilitator include the following.

1. Working with the chair and vice chair of the commission to develop a work plan and schedule for the commission to comply with the deadlines and important dates outlined in section III. C. of this RFI and the requirements of House Bill 23B-1003.

2. With the commission chair and vice chair, determining the process for how the commission will meet its purpose and charge and the process through which the commission will make recommendations for inclusion in the commission’s report.

3. Attending each commission meeting, and any meetings of subcommittees formed by the commission, to provide professional facilitation services to allow the commission, and any subcommittee formed by the commission, to meet the commission’s purpose and charge listed in section II. of this RFI.

4. Preparing relevant analyses, compiling information and resources, conducting or arranging for informational presentations, and providing other necessary support to allow the members of the commission, and any subcommittees formed by the commission, to make considered decisions regarding the commission’s purpose and charge.

5. a. Aiding the commission in determining whether the commission’s work should extend past March 15, 2024, or whether the work of the commission should be terminated, as outlined in section 2-2-2201 (4) (a), C.R.S. (as enacted by House Bill 23B-1003).

   b. In the event that the commission votes to extend its work, preparing a preliminary report with initial findings and analysis of filed ballot initiatives, as deemed appropriate by the commission.

6. a. Pursuant to the timeframes described in section III. C. of this RFI, preparing the commission’s report and submitting the report to the General Assembly and the Governor. The report must contain the following information.

   ● A description of how the commission met its purpose and charge and the process used by the commission to make recommendations for inclusion in the commission’s report.

   ● If approved by at least 10 members of the commission, recommendations for short-term and long-term legislative changes that will further the purpose of the commission.

   ● If the commission deems appropriate, an evaluation of proposed initiatives concerning property tax for the 2024 general election that addresses the factors identified in section II. B. 3. of this RFI.

   ● Reports of any subcommittees formed by the commission.

   ● Any other information that the commission determines to be relevant.

   b. If, after the commission submits the report, the commission reconvenes to review a proposed initiative concerning property taxes for the 2024 election, as described in section III. A. 7. of this RFI, and the commission determines that the report should be supplemented with additional information about the proposed initiative, preparing a supplement to the report and submitting it to the General Assembly and the Governor.

7. After the commission has submitted the report of recommendations, if a proposed initiative concerning property tax for the 2024 general election is timely submitted for a review and comment hearing pursuant to section 1-40-105, C.R.S., working with the commission chair to expeditiously reconvene the commission to consider the effect of the proposed initiative if it were to be approved and become law, and to determine whether the report of the commission should be supplemented with additional information about the proposed initiative.
8. Providing administrative support to the commission and any subcommittees established by the commission as follows.

   a. Working with the commission chair, vice chair, and Legislative Council Staff to determine commission, and, if relevant, subcommittee meeting dates, and to develop and publically post meeting agendas.

   b. Working with the commission chair, vice chair, and the Legislative Council Staff to determine whether commission and subcommittee meetings will be held entirely in person, entirely virtually, or in a hybrid format.

   c. Working with the commission chair to determine whether public testimony or other forms of public input will be included at commission and subcommittee meetings.

   d. Providing, technical, and administrative support to any subcommittees established by the commission, as directed by the commission chair, including, at a minimum, ensuring that any subcommittees established by the commission comply with open meetings requirements under state law by posting agendas in advance of meetings and allowing for members of the public to attend meetings either in person or virtually.

9. Preparing a proposal regarding the potential to provide any public outreach services requested by the commission, or a recommendation for a sub-contractor to execute these services, and a detailed proposal for how outreach services would be coordinated; presenting the proposal to the commission for review, amendment, and approval; and should the required funding be allocated by the Executive Committee, conducting the public outreach services, or coordinating with the identified sub-contractor, as directed by the commission and as required by the contract awarded pursuant to this RFI.

10. Preparing a proposal regarding incidentals that are required to allow the commission to conduct its work, (such as meals, materials fees, or other costs); presenting the proposal to the commission for review, amendment, and approval; and should the required funding be allocated by the Executive Committee, arranging for these incidentals on behalf of the commission and pursuant to the contract awarded pursuant to this RFI.

B. Excluded Duties. The following duties will be performed by legislative staff and are excluded from the facilitator's scope of work.

1. Providing and maintaining a website for the commission with information about the commission and any subcommittees formed by the commission, including membership, meeting schedules, agendas, and meeting summaries; information provided to the commission from presenters or as part of any public input or testimony process; and any other information provided by the facilitator.

2. Arranging for live audio streaming of each commission meeting and any meetings of subcommittees formed by the commission to allow members of the public to listen to the meetings in real time.

3. Recording the audio of each commission meeting and any meetings of subcommittees formed by the commission and making the recordings available to the public.

4. If the commission determines that public input should be provided at commission meetings, facilitating the process of public input pursuant to the current process for testimony utilized by the Colorado General Assembly.

5. Arranging for in-person meeting spaces for the commission or subcommittees in the Capitol Complex, if the commission or subcommittee meets entirely in person or in a hybrid format.

6. Scheduling Zoom virtual meetings for any commission or subcommittee meeting that is held in an entirely virtual or hybrid format.

7. For meetings that occur in the legislative interim, facilitating per diem and expense reimbursement for legislative members of the task force.
8. Preparing written summaries of each commission meeting, including listing the attendance of members of the commission at the meeting and recording any votes taken by the commission. Legislative staff will not attend or prepare meeting summaries for subcommittees formed by the commission.

9. Providing nonpartisan policy or legal research to aid the commission in issuing the report required by section III. A. 6. of this RFI.

10. Notifying the commission chair and facilitator if a proposed initiative concerning property tax is submitted for the 2024 General Election for review and comment pursuant to section 1-40-105 (1), C.R.S.

C. Timeline. The following timeline outlines the relevant deadlines and important dates for the facilitation services. This timeline is preliminary, and is subject to revision by the commission or the Colorado General Assembly.

- **Wednesday, November 29, 2023.** The RFI is posted.
- **Sunday, December 10, 2023 at 11:59 pm MST.** Responses to the RFI are due.
- **On or before December 22, 2023.** The Executive Committee approves the commission’s budget. The commission convenes and may interview facilitator finalists. The commission selects a facilitator.
- **On or before January 5, 2024.** The facilitator meets with the commission chair and legislative staff to plan commission work.
- **January 2024 through March 15, 2024.** The commission meets at least twice a month, or more often as determined by the chair. If formed by the commission, subcommittees meet.
- **By Friday, March 15, 2024.** A majority of the commission may vote to extend the work of the commission past March 15, 2024, or to terminate the work of the commission. If the commission does not vote to extend the work of the commission, the commission must submit its report of recommendations to the General Assembly and the Governor by this date. In the event that the Commission votes to extend its work, a preliminary report with initial findings and analysis of filed ballot initiatives, as deemed appropriate by the Commission may be necessary.
- **From Friday, March 15, 2024, to no later than Tuesday, December 31, 2024.** If the commission has not submitted its final report by March 15, 2024, the commission continues to meet at the call of the chair to complete its report of recommendations to the General Assembly and the Governor. If formed by the commission, subcommittees meet.
- **After the date the report is submitted to the General Assembly and the Governor.** If a proposed initiative concerning property tax is submitted for the 2024 General Election for review and comment pursuant to section 1-40-105 (1), C.R.S., the commission reconvenes to consider the effect of the proposed initiative and, if appropriate, to supplement the report with information about the initiative.
- **Tuesday, December 31, 2024.** Final date for the commission to submit its final report of recommendations to the General Assembly and the Governor.

IV. Required Information

The following information must be included in any response:

- A letter of interest with a statement of ability to provide resources to complete the work by the given deadlines.
- Information demonstrating the bidder’s qualifications and experience to provide the services requested in this RFI, including the bidder’s experience in tax policy, examples of similar completed projects, and any credentials or accreditations held by the bidder.
● Demonstration of the facilitator’s neutrality, and a statement that the facilitator is not affiliated with a statewide organization described in section 2-2-2201 (2), C.R.S. (as created by House Bill 23B-1003) and is not materially connected to an initiative petition that concerns property tax as described in section 2-2-2201 (3)(a), C.R.S. (as created by House Bill 23B-1003).

● References for three similar projects.

● A detailed description of how the bidder’s firm will meet the requirements outlined in section III. of this RFI, including facilitation and project management techniques that will be utilized.

● A preliminary public outreach proposal, as described in section III. A. 9. of this RFI, and a detailed budget for the proposal.

● A detailed budget including hourly rates for each team member, the estimated number of hours by requirement provided in section III, and the costs of incidentals as described in section III. A. 10. of this RFI. Budgets provided should include cost estimates for services through March 15th as well as estimates for additional services for extended timelines, should the Commission vote to extend their work or additional ballot measures that require review be filed.

● Travel costs for the bidder’s team.

● Any other fees and costs not included in the hourly rate(s).

V. Due Date

All responses to the RFI should be submitted by 11:59 pm MST on Sunday, December 10, 2023. Please direct inquiries and electronic submissions to:

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VI. Review and Ownership of Commission and Subcommittee Materials

Deliverables are due on the dates specified by the commission or General Assembly (see section III. C. of this RFI for a preliminary timeline). All materials prepared by the facilitator pursuant to this RFI are owned by the commission. The commission may review, amend, and approve any documents or other materials prepared by the facilitator. The General Assembly may reproduce, publish, use, and authorize others to use any work product delivered by the facilitator.

Respondents that plan to use proprietary material or information in their work products must clearly identify the portions of the work product that will be created using proprietary material. The Legislative Council’s Director of Research shall make the final determination in advance of awarding the contract as to whether any part of the work product may be completed using proprietary information or whether any information shall be considered proprietary.

VII. Revisions or Clarifications

It if becomes necessary to revise or clarify any part of this RFI, addenda will be provided to each potential respondent who received the original RFI and any other individual who expresses interest in responding to the RFI. It is essential that respondents acknowledge all issued addenda in their submittal.

VIII. Ownership of Responses Received
All material submitted in response to this RFI shall become the property of the Colorado General Assembly. The Colorado General Assembly reserves the right to retain all responses submitted and to use any ideas in a response regardless of whether that proposal is selected. Any restrictions on the use of information contained within a response must be clearly stated in the response, and any such restrictions must be approved by the Legislative Council’s Director of Research. Submission of a response indicates acceptance by the respondent of the conditions stated in this RFI.

IX. Respondent’s Costs

The State of Colorado is not liable for any costs incurred by respondents as a result of submission of information pursuant to this RFI.

X. Award of Contract

Responses will be reviewed and selected by the commission. The commission reserves the right to reject any or all responses. Responses that do not include at least the information required by section IV. of this RFI shall be deemed nonresponsive and will not receive further consideration. The contract will be awarded to the respondent whose proposal is most advantageous to the State of Colorado. Notification of a successful respondent is expected to occur by 11:59 pm MST on Friday, December 22, 2023.

XI. Contract

In addition to standard state contract provisions, the contract negotiated with a successful respondent shall incorporate this RFI, the successful response, and any additional information that may be required.

The schedule and method of payment shall be determined pursuant to negotiations between the Legislative Council’s Director of Research and the selected respondent and shall be included in the contract. If the respondent intends to subcontract any part of its responsibilities to another individual or firm, the respondent must also identify the subcontracting individual or firm and their qualifications in its response to this RFI.