



DOUGLAS COUNTY
ADMINISTRATIVE POLICIES AND PROCEDURES

TITLE Delegation of Authority and Procedures for the Preparation and Execution of Contracts	Approval Date 3/20/91
POLICY CUSTODIAN County Attorney	Revision Date 8/28/2017

PURPOSE: To establish a uniform procedure for the preparation and execution of contracts.

DEPARTMENT RESPONSIBLE: County Attorney

DEPARTMENT(S) AFFECTED: All

POLICY: Pursuant to Section 30-11-107(1)(aa), C.R.S. (1990), the Board of County Commissioners has the authority to establish policies and procedures regarding entering into contracts binding on the County and to delegate its power to enter into such contracts pursuant to such policies and procedures. The Board wishes to delegate limited authority to the County Manager, Treasurer, Clerk and Recorder, Sheriff, Assessor, Coroner, and Department Directors to enter into certain contracts on behalf of the Board as follows:

"Contract" is defined as any agreement between Douglas County and another person or entity that commits the County to the payment of money or staff.

Contracts, whether signed in person or electronically will follow the same Procedure.

All contracts that commit Douglas County to an expenditure of \$100,000 or more must be approved by the Board of County Commissioners in public meeting. All contracts in this category shall have signature blocks in the form attached hereto as Exhibit A.

Contracts that commit the County to an expenditure between \$25,000 and \$100,000 may be approved by the County Manager. All contracts in this category shall have signature blocks in the form attached hereto as Exhibit C.

Contracts that commit the County to an expenditure of less than \$25,000 for operating supplies, services, and capital equipment may be approved by the appropriate Elected Official or Department Director, pending the legal and fiscal reviews outlined below. All contracts in this category shall have signature blocks in the form hereto as Exhibit D.

Financial commitments for Contracts include both the original contract and any amendments. For example, if a \$75,000 contract is executed by the County Manager and is then amended to add \$30,000 more work, the amendment must go to the Board as the total contract would now be worth \$105,000.

PROCEDURES:

The procedure for the preparation and execution of county contracts or amendments totaling \$100,000 or more shall be as follows:

1. The originating office or department shall negotiate the terms of the contract with the other contracting party. The contract shall have signature blocks in the form attached hereto as Exhibit A.
2. An approved draft of the contract shall be forwarded to the County Attorney for review of the legal form and content. The County Attorney may suggest changes concerning the legal form and content. At this time, the contract is scheduled for consideration by the Board at its next available public meeting.
3. Changes suggested by the County Attorney will be incorporated by the originating office or department and the final form of the contract will be forwarded to the other contracting party for review and signature.
4. If not done previously, before a contract is sent out for signature, it should be forwarded to Risk Management and Finance for confirmation that it contains any necessary provisions as required by those departments. If acceptable or as corrected, a contract may now be forwarded to third parties for signature.
5. Upon receipt of the contract signed by the other contracting party, the Elected Official or Department head shall sign the contract. The originating office or department shall then forward it to the County Attorney's office, along with an Agenda cover page explaining the contract in the form attached hereto as Exhibit B. If the contract is in acceptable legal form and has been properly executed by the other contracting party, the County Attorney's Office will sign the contract.
6. The contract is then forwarded to the Risk Manager for signature.
7. The contract is then forwarded to the Finance Department for signature.
8. The contract is then forwarded to the County Manager. If the terms of the contract are acceptable to the County Manager, the County Manager will sign the contract. The contract is then provided to the Board for review and approval at a Business Meeting.
9. If the contract is approved by the Board, the Chair shall execute the contract on behalf of the Board at the conclusion of the Business Meeting.
10. The fully executed contract will be forwarded immediately to the County Attorney's Office for hard copy (if in paper form) and scanning. The County Attorney's Office will retain a duplicate original and return a duplicate original to the originating office or department. The originating office or department is responsible for forwarding a copy of the contract to the other contracting party. If in electronic form, processed through DocuSign, the County Attorney, Risk Manager, Finance Department, County Manager, originating department and other contracting party will all, automatically receive official, fully executed copies via email/DocuSign.

11. The office or department originating the contract shall be responsible for the administration of the contract, including ensuring the funds paid to the contractor do not exceed the contracted amount and ensuring that work is performed only within the term stated in the contract.

Contracts that commit Douglas County to an expenditure of less than \$25,000 for operating supplies, services, and capital equipment, may be approved by the originating Elected Official or Department Director following the same process as above – skipping steps that are not required due to the contract amount.

FORMS: (Contract Signature Pages Attached)

EXHIBIT B

AGENDA ITEM: (Leave Blank)

MEETING DATE:

STAFF PERSON
RESPONSIBLE:

DESCRIPTION: (Short Title of the Item)

SUMMARY: (Short narrative of the item, including background material, as necessary)

RECOMMENDED
BOARD ACTION: (The action requested)

APPROVED FOR
AGENDA: (The name and signature of originating Elected Official or
Department Director)

REVIEWED FOR
FISCAL CONTENT: (The name and signature of the Director of Finance, when applicable)

REVIEWED BY
COUNTY MANAGER:

EXHIBIT C

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

DATE
County Manager

APPROVED AS TO FISCAL CONTENT:

DATE
Director of Finance

APPROVED AS TO LEGAL FORM:

DATE
County Attorney

**APPROVED AS TO INSURANCE
REQUIREMENTS:**

DATE
Risk Manager

EXHIBIT D

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS**

BY: _____
DATE

Director

APPROVED AS TO FISCAL CONTENT:

DATE
Director of Finance

DATE
County Attorney

APPROVED AS TO LEGAL FORM:

DATE
County Attorney

**APPROVED AS TO INSURANCE
REQUIREMENTS:**

DATE
Risk Manager