

Title: Administrative Policy Contract and Delegation Authority	Policy No. Part 2, Board Administration Chapter 1, Board of County Commissioners Section 2
	Effective Date February 23, 2021
Policy Custodian Board of County Commissioners	Adoption/Revision Date February 23, 2021

Adopting Resolution(s): CC21-055

References (Statutes /Resos/Policies): §30-11-107 (1) (aa) C.R.S.; CC86-956, CC90-556, CC90-668, CC90-754, CC90-857, CC90-861, CC91-24, CC91-176, CC91-540, CC92-218, CC94-224, CC92-334, CC92-842, CC92-918, CC93-253, CC93-443, CC93-749, CC94-201, CC99-457, CC00-356, CC00-411, CC03-592, CC09-259, CC10-217, CC11-152, CC11-172, CC12-172, CC12-198, CC15-043, CC17-190, CC19-290, CC19-368

Purpose: To delegate the Board of County Commissioners' authority to contract.

Policy: Board of County Commissioners Contract and Delegation Authority

A. Authority

1. The County has authority pursuant to Section 30-11-101(1)(d), C.R.S., "to make all contracts and do all acts in relation to the property and concerns necessary to the exercise of its corporate or administrative powers."
2. The Board of County Commissioners (BCC) has authority pursuant to Section 30-11-107(1) (aa), C.R.S., 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.

B. Contract Signature Delegation

1. The BCC delegates authority to sign all contracts, contract amendments, and contract terminations, excluding contracts involving the county's real property interests to county Elected or Appointed Officials, when the contract value can be accounted for in the Elected or Appointed Official's authorized budget. An Elected or Appointed Official may further delegate its signature authority.
2. The BCC's authorization to execute a contract shall be by resolution. Except as otherwise provided in this Policy, the resolution shall constitute authorization of the BCC for the Chairman, or the Chairman pro-tem in the absence of the Chairman, or any Commissioner in the absence of the Chairman and the Chairman pro-tem, to execute the contract and all documents necessary for the completion of the transaction, amendments to the contract, or other objects of the contract unless otherwise stated in the contract, including, but not limited to, any attachments to the contract, certifications, applications, licenses, permits, or any other documents required or implied by the terms of the contract.

3. The BCC or an individual delegated signature authority in accordance with this policy may not execute documents, contracts, or amendments which:
 - a. Obligate the County to a sum in excess of the contract sum or a term in excess of the contract term unless such additional amount or additional contract time is authorized in the resolution approving the contract or in the contract itself;
 - b. Have not been approved as to form by the County Attorney's Office prior to execution except as otherwise agreed to in writing between the authorized signatory and the County Attorney's Office; or
 - c. Have not been acquired in accordance with the Purchasing Policy and Procedures, for documents, contracts, or amendments which authorize the expenditure of County funds.
4. All documents must be approved by the County Attorney's Office prior to execution except as otherwise agreed to between the authorized signer and the County Attorney's Office.
5. The BCC delegates authority to Division Directors to execute documents terminating a contract.
6. Real Property: The BCC's execution of a contract for the conveyance or acquisition of an interest in real property shall be in accordance with the Sale or Exchange of County Owned Real Property Policy.
7. The BCC specifically delegates signature authority as set forth in the Purchasing Policy.
8. The Board of County Commissioners also specifically delegates signature authority as set forth in the Non-Purchasing Delegation Authorities below. The Signature Authority designee may further delegate its signature authority. The BCC may always authorize signature of a contract by resolution in lieu of any delegation set forth herein or in any other policy.

Non-Purchasing Delegation Authorities

(Note: For purposes of clarity these are contracts and agreements that are NOT processed by Purchasing Operations pursuant to the Purchasing Policy.) County policy still requires that all Grant Agreements are briefed to the Board of County Commissioners. See Fiscal Review of Grants and Agreements Policy.

General Delegation of Authorities:

For all contracts and agreements, including intergovernmental agreements, memorandum of understanding and similar agreements, not specifically identified in the Specific Delegation of Authorities Chart below, the Board of County Commissioners delegates to the County Manager authority to sign any contract, contract amendment or other contract document less than \$500,000.

Agreements signed by the County Manager shall require the following additional approvals:

Contract Value	Additional Approval
All contracts	Division Director
≥ \$100,000	Department Director

Specific Delegation of Authorities:

<i>Description</i>	<i>Signature Authority</i> (Individual authorized to sign document) & Level of Authority		<i>Type of Authority</i>
1. Business Associate Agreements			
a. Agreements	Designated Privacy Officer		To execute Business Associate Agreements.
2. Claims and Lawsuits			
a. Settlements	County Attorney	≤ \$500,000	The authority to approve any settlement of any claim or lawsuit involving the County, its Elected Officials, employees, agents, or entities and execute documents related to such settlement.
	County Attorney's delegate	≤ \$150,000	
b. Litigation and Litigation Costs	County Attorney		To commence litigation on behalf of the County or any of its Elected Officials, boards, and commissions that have standing to commence litigation and to pay all costs and expenses related to litigation.
			To defend against all claims brought against the County or any of its boards, elected officials, or employees and to pay all costs and expenses related to the defense.
c. Appeals	County Attorney		To defend any appeal or file an appeal from an adverse ruling of a lower court or administrative body.
d. Attorneys	County Attorney		To enter into contracts or retain services of outside counsel and other professionals performing services related to legal services and authorize payment for services.
e. Property/casualty claims	County Attorney	>\$100,000	To approve settlement of property/casualty claims and execute documents related to such settlement. Claims cannot include Federal claims and if the claim includes personal injury, County Attorney Office approval is required.
	County Manager	≤\$100,000	
	Deputy County Manager	≤\$50,000	
	Safety and Compliance Director	≤\$25,000	
f. Worker's Compensation	County Attorney	>\$100,000	To approve settlement of Workers' Compensation claims, including subrogation claims involving at-fault third parties, when the settlement is approved by Workers' Compensation counsel and/or the County Attorney's Office and execute documents related to such settlement. To approve settlement of Workers' Compensation claims when the settlement is approved by Workers' Compensation counsel and the County Attorney's Office and execute documents related to such settlement.
	County Manager	≤\$100,000	
	Deputy County Manager	≤\$50,000	
	Safety and Compliance Director	≤\$25,000	

<i>Description</i>	<i>Signature Authority (Individual authorized to sign document) & Level of Authority</i>	<i>Type of Authority</i>
3. Conservation Trust Fund		
a. Recertification Forms	Director of Finance and Information Technology	To execute recertification forms for conservation trust funds.
b. Reimbursements and Requests for Payments	Director of Parks	To approve and execute reimbursements and requests for payments through grant programs.
4. County Building, Facility and Grounds Use		
a. Reservation Agreements	Director of Facilities Management or Events and Venues	To execute building use agreements (exhibitions, training, etc.) not to exceed a duration of one year.
b. Boettcher Mansion		
1) Social Events Contracts	Director of Events and Venues	To execute Social Event Contracts for the reservation of Boettcher Mansion facilities for social events.
2) Wedding Showcase Agreements	Director of Events and Venues	To execute Wedding Showcase Agreements presenting vendor's marketing materials.
3) Conference Contracts	Director of Events and Venues	To execute Conference Contracts for the reservation of Boettcher Mansion facilities for conferences.
4) Approved Vendor Program Contracts	Director of Events and Venues	To execute Contracts with approved vendors at Boettcher Mansion.
c. Fairgrounds		
1) Approved Vendor Program Contracts	Director of Events and Venues	To execute contracts with approved vendors at the Fairgrounds.
2) Jefferson County 4-H Judging Agreements	Director of Events and Venues	To execute Jefferson County 4-H Judging Agreements.
d. Airport		
1) Approved Airshow Contracts	Director of Development and Transportation	To execute contracts with vendors, performers, sponsors and others for purposes of facilitating the air show at the Rocky Mountain Metropolitan Airport.

<i>Description</i>	<i>Signature Authority (Individual authorized to sign document) & Level of Authority</i>	<i>Type of Authority</i>
5. Human Services Contracts And Agreements		
a. Contracts	Human Service Director	<p>To execute human services-related agreements that do not involve real property whose amounts do not exceed \$100,000 (other than TANF funded as identified below). This authority shall not include the execution of contracts necessary for the ordinary operations of a county office including but not limited to facilities operation, information systems or construction management.</p> <p>To execute contract amendments for contracts within the Human Services Director's execution authority that do not allow the total amount of the contract, as amended, to exceed \$100,000.</p>
b. State and Federal Documents	Human Service Director	To execute regular and routine State and Federal documents such as reports, certifications, forms and environmental review clearances and similar documents with other governmental, quasi-governmental, and nonprofit entities.
c. American Jobs Center	Human Service Director	To execute documents related to the administration of the American Jobs Center which have been approved by the Workforce Development Board in accordance with the Workforce Innovation Opportunity Act and which do not exceed \$100,000 including: Hiring Event Agreements, individual client school tuition, books, child care, support or training service agreements and contracts for outdoor activities.
d. Temporary Assistance to Needy Families Fund	Human Service Director	To execute contracts funded solely through the use of Temporary Assistance to Needy Families Funds for which there is no monetary limit.
e. Community Development		
1) State and Federal Documents	Human Service Director	To execute regular and routine State and Federal documents such as reports, certifications, forms and environmental review clearances related to State or Federal funding agreements executed by the County.

<i>Description</i>	<i>Signature Authority (Individual authorized to sign document) & Level of Authority</i>	<i>Type of Authority</i>
2) Expenditure of Federal and State Grants	Human Service Director	To execute contracts or minor amendments with subcontractors involving the expenditure of Federal or State grants handled by the Community Development Division when the BCC has approved the projects and the amount of funds for each project and the County Attorney has approved the contract as to form.
3) Amendments to Contracts	Human Service Director	To execute amendments to contracts when there are adjustments to scope of services or budget exhibits which are minor amendments that do not increase the overall budget amount in the contract as permitted by the Community Development Grants Policy or modify the project purpose approved by the BCC.
		To execute amendments to contracts when the BCC has approved additional services.
6. Impact Assistance Grants		
Applications	Chairman of the Board of County Commissioners	To execute Impact Assistance Grant Applications regarding Payment in Lieu of Taxes from the State of Colorado.
7. Information Technology		
Agreements, Subscriptions	Director of Information Technology	To execute information technology-related agreements needed in the course of conducting daily business activities other than Software Licenses (of whatever type – traditional licenses, software as a service etc., except if they are Trail or Pilot agreements.) Software or Hardware maintenance support agreements or professional service agreements. The dollar threshold of these agreements is not to exceed \$500 and prior County Attorney review and approval is required. Examples of these types of agreements include but are not limited to Non Disclosure Agreements, Domain Registration Agreements and Trial or Pilot agreements.
8. Non-County Agency & Program (NCAP) Funding Request Agreements		
Agreements per the NCAP Policy	Per NCAP Policy & Procedure	Funding agreements with Non-County Agency & Program (NCAP) entities that receive annual funding from Jefferson County.

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9. Other Agreements		
No-Cost Agreements	Department Director	Agreements for services, products, or data-sharing that do not require, either by a specific condition or a secondary necessity to administer the agreement, the county to contribute financially or in-kind to the agreement (not including limited staff time needed to process or monitor an agreement).
Performance Guarantee Agreements	Director of Development and Transportation	Agreements relating to performance guarantees as set forth in Section A.7 and C of the Performance Guarantee Policy.
10. Parks Department Contracts, Agreements and Matters		
a. CSU Extension		
1) Jefferson County 4-H Judging Agreements	Director of Parks	To execute Jefferson County 4-H Judging Agreements.
2) Reservation Agreements	Director of Parks	To execute Reservation Agreements for the rental of CSU Extension facilities.
b. Open Space		
1) Open Space Local Park and Recreation Grant Program and Nonprofit Grant Program	Director of Parks	To execute and/or approve reimbursements and requests for payments through the Local Park and Recreation Grant Program and Nonprofit Grant Program.
c. Parks		
1) Short Term Licenses	Director of Parks	To execute Licenses and Permits to authorize short term uses of Parks properties not exceeding one (1) year.
2) Park Permits	Director of Parks	To execute Park Permits for approved special uses of Parks properties.
11. Personnel Matters		
Unemployment	Chairman of the Board of County Commissioners	To execute Unemployment Insurance bills of whatever type.
Employee Severance Agreements	Supervisor Authorized to Execute Personnel Action	To approve and execute severance agreements consistent with the requirements of the Personnel Rules. County Attorney's Office approval is required.
12. Property Tax Valuation, Abatements, Refunds, and Appeals		
Valuation and Abatement Appeals	County Attorney	To settle or compromise property valuation and abatement appeals on behalf of the Jefferson County Board of Equalization and Board of County Commissioners and execute documents related to such appeals.

<i>Description</i>	<i>Signature Authority (Individual authorized to sign document) & Level of Authority</i>	<i>Type of Authority</i>	
Petitions	County Attorney	≥ \$10,000	To review petitions for abatement or refund and to settle and/or execute by written mutual agreement any of the petitions per tract, parcel, or lot of land or per schedule of personal property as provided by Section 39-1-113(1.5), C.R.S.
	Assessor	< \$10,000	
13. Public Trustee Reports			
Public Trustee Quarterly Reports	Chairman of the Board of County Commissioners	To execute the Public Trustee's Quarterly Reports following presentation to and approval by the Board of County Commissioners.	
14. Public Utility Service			
Agreements, Applications	Director of Transportation and Engineering, Director of Facilities and Construction Management, Director of Information Technology, Parks Director	To execute utility relocation agreements, requests for new service, requests to remove and reset street lights, frost agreements, encroachment applications, requests to de-energize, new lighting design approval, and other similar utility service agreements. (Centurylink, Xcel Energy, Public Service Company of Colorado, etc.)	
15. Repairs to County Facilities and Buildings			
Contracts	County Manager	To execute contracts or agreements for repair or clean up of county buildings or facilities when delay would cause additional damage or safety concerns. All such contracts or agreements must be appropriately approved in arrears per A.3.(A).	
16. Vehicles And Equipment			
a. Titles and Bills of Sale	Deputy County Manager	To execute and deliver bills of sale and automobile titles for vehicles sold at auction.	
b. Used Equipment	Director of Fleet Services	To purchase previously owned or liquidated equipment acquired by auction, or other method in accordance with the Fleet Replacement Program through means other than the standard purchasing procedure, i.e. advancement of funds, procurement card, etc.	
17. Volunteer Agreements			
Volunteer Agreements	Division Director	To execute agreements with County volunteers.	

<i>Description</i>	<i>Signature Authority (Individual authorized to sign document) & Level of Authority</i>	<i>Type of Authority</i>
18. Water Related Matters		
a. Water Court Proceedings	County Attorney	To file or authorize the filing of statements of opposition and other water court pleadings and to litigate and settle water court proceedings involving the County, its officers, employees, agents, or entities.
b. Water Rights/ Administration Forms	Department Directors	To execute forms relating to County water rights, including, but not limited to: permit application forms, registration of existing wells, change in ownership, notice of well completion forms, notice of commencement of beneficial use forms, and transfer forms.