

Policy Title: Contract and Delegation Authority Policy

Policy Number: Part 2, Board Administration; Chapter 1, Board of County Commissioners; Section 2

Type of Policy: Administrative Policy

Adopting Resolutions: ~~CC25-045~~

References: Statutes §30-11-107 (1) (aa) C.R.S.; Resolutions 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, CC21-055, CC22-216, CC24-191, CC25-045

Effective Date: ~~February 25, 2025~~

Adoption/Revision Date: ~~February 25, 2025~~

Administrative Revision Date: Not Applicable

Policy Custodian: Board of County Commissioners

Compliance: All Elected and Appointed Officials Offices and Departments

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

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. If the agreement is a grant award, the Elected or Appointed Official is authorized to sign the grant award agreement provided the Elected or Appointed Official has followed the County's Fiscal Review of Grants Policy, and the dollar amount will

be included in a budget supplemental. 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 as set forth in an agreement between the District Attorney for the 1st Judicial District and the County; 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 or as set forth in an agreement between the District Attorney for the 1st Judicial District and the County.
5. The BCC delegates authority to Division Directors to execute documents terminating a non-purchasing 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.

C. Non-Purchasing Delegation Authorities

1. Non-Purchasing Contracts are contracts that establish a relationship with a vendor or supplier but that do not go through the County's procurement process. Examples include, but are not limited to, those identified in Section E, Non-County Agency Program contracts, contracts establishing or processed through a fiscal agent relationship, intergovernmental agreements and memorandum of understandings, leases for real property, and grants. County policy still requires that all Grant Agreements are briefed to the Board of County Commissioners. See Fiscal Review of Grants and Agreements Policy.

D. 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:

- All contracts, regardless of contract value, require approval of the Division Director.
- All contracts greater than or equal to \$100,000 require the approval of the Department Director.

E. Specific Delegation of Authorities:

1. Business Associate Agreements

- a. Designated Privacy Officer has the authority to execute Business Associate Agreements.

2. Claims and Lawsuits

a. Settlements

- 1) For Settlements less than or equal to \$500,000, the County Attorney has 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.

- 2) For Settlements less than or equal to \$150,000, the County Attorney's delegate has 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.
- b. Litigation and Litigation Costs:
- 1) The County Attorney has the authority 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.
 - 2) The County Attorney has the authority 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: The County Attorney has the authority to defend any appeal or file an appeal from an adverse ruling of a lower court or administrative body.
- d. Attorneys: The County Attorney has the authority 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 and Casualty Claims
- 1) For property and casualty claims greater than \$100,000, the County Attorney has the authority 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.
 - 2) For property and casualty claims less than or equal to \$100,000, the County Manager has the authority 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.
 - 3) For property and casualty claims less than or equal to \$50,000, the Deputy County Manager has the authority 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.
 - 4) For property and casualty claims less than or equal to \$25,000, the Safety and Compliance Director has the authority 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.

f. Worker's Compensation

- 1) For worker's compensation claims greater than \$100,000, the County Attorney has the authority 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.
- 2) For worker's compensation claims less than or equal to \$100,000, the County Manager has the authority 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.
- 3) For worker's compensation claims less than or equal to \$50,000, the Deputy County Manager has the authority 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.
- 4) For worker's compensation claims less than or equal to \$25,000, the Safety and Compliance Director has the authority 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.

3. Conservation Trust Fund

- a. Recertification Forms: The Director of Strategy, Innovation and Finance has the authority to execute recertification forms for conservation trust funds.
 - b. Reimbursements and Requests for Payments: The Director of Parks and Conservation has the authority 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 Parks and Conservation has the authority to execute building, facility, and grounds use agreements not to exceed a duration of one year.
 - b. Boettcher Mansion:
 - 1) For Social Event Contracts, the Director of Parks and Conservation has the authority to execute Social Event Contracts for the reservation of Boettcher Mansion facilities for social events.
 - 2) For Wedding and Showcase Agreements, the Director of Parks and Conservation has the authority to execute Wedding Showcase Agreements presenting vendor's marketing materials.
 - 3) For Conference Contracts, the Director of Parks and Conservation has the authority to execute Conference Contracts for the reservation of Boettcher Mansion facilities for conferences.
 - 4) For Approved Vendor Program Contracts, the Director of Parks and Conservation has the authority to execute Contracts with approved vendors at Boettcher Mansion.
 - c. Fairgrounds
 - 1) Approved Vendor Program Contracts: The Director of Parks and Conservation has the authority to execute contracts with approved vendors at the Fairgrounds.
 - 2) Jefferson County 4-H Judging Agreements: The Director of Parks and Conservation has the authority to execute Jefferson County 4-H Judging Agreements.
 - d. Airport: Approved Airshow Contracts: The Director of Development and Transportation has the authority to execute contracts with vendors, performers, sponsors and others for purposes of facilitating the air show at the Rocky Mountain Metropolitan Airport.
5. Human Services Contracts and Agreements

a. Contracts:

- 1) The Director of Human Services has the authority 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.
- 2) The Director of Human Services has the authority 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.

b. State and Federal Documents: The Human Services Director has the authority 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: The Human Services Director has the authority 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, childcare, support or training service agreements and contracts for outdoor activities.

d. Temporary Assistance to Needy Families Fund: The Human Services Director has the authority 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: The Human Services Director has the authority 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.
- 2) Expenditure of Federal and State Grants: The Human Services Director has the authority 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: The Human Services Director has the authority 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 and to execute amendments to contracts when the BCC has approved additional services.

6. Impact Assistance Grants

- a. Applications: Chairman of the Board of County Commissioners has the authority to execute Impact Assistance Grant Applications regarding Payment in Lieu of Taxes from the State of Colorado.

7. Information Technology

- a. Agreements and Subscriptions: The Director of Business Innovation Technology has the authority 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

- a. Agreements per the NCAP Policy: The authority to sign funding agreements with Non-County Agency & Program (NCAP) entities that receive annual funding from Jefferson County are specified in the NCAP Policy and Procedure.

9. Other Agreements

- a. No-Cost Agreements: The Department Director has the authority to sign 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).

- b. Presentation Agreements: The Department Director has the authority to sign agreements governing a County employee or volunteer giving a presentation off of County property.
- c. Performance Guarantee Agreements: The Development and Transportation Department Director has the authority to sign agreements relating to performance guarantees as set forth in Section A.7 and C of the Performance Guarantee Policy.

10. Conservation and Parks Department Contracts, Agreements and Matters

a. CSU Extension

- 1) Jefferson County 4-H Judging Agreements: The Director of CSU Extension has the authority to execute Jefferson County 4-H Judging Agreements.
- 2) Reservation Agreements: The Director of CSU Extension has the authority to execute Reservation Agreements for the rental of CSU Extension facilities.

b. Open Space: Open Space Local Park and Recreation Grant Program and Nonprofit Grant Program: The Director of Parks and Conservation has the authority 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: The Director of Parks and Conservation has the authority to execute Licenses and Permits to authorize short term uses of Parks properties not exceeding one (1) year.
- 2) Park Permits: The Director of Parks and Conservation has the authority to execute Park Permits for approved special uses of Parks properties.

11. Personnel Matters

- a. Unemployment: The Chairman of the Board of County Commissioners has the authority to execute Unemployment Insurance bills of whatever type.
- b. Employee Severance Agreements: The Supervisor Authorized to Execute Personnel Action has the authority 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

- a. Valuation and Abatement Appeals: The County Attorney has the authority 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.
- b. Petitions:
 - 1) For petitions greater than and equal to \$10,000, the County Attorney has the authority 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.
 - 2) For petitions less than \$10,000, the Assessor has the authority 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.

13. Public Trustee Reports

- a. Public Trustee Quarterly Reports: The Chairman of the Board of County Commissioners has the authority to execute the Public Trustee's Quarterly Reports following presentation to and approval by the Board of County Commissioners.

14. Public Utility Service

- a. Agreements and Applications: The Director of Transportation and Engineering, Director of Facilities Management, Director of Business Innovation Technology, Director of Parks and Conservation has the authority 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

- a. Contracts: The County Manager has the authority 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: The Deputy County Manager has the authority to execute and deliver bills of sale and automobile titles for vehicles sold at auction.
- b. Used Equipment: The Director of Fleet Services has the authority 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

- a. The Division Director has the authority to execute agreements with County volunteers.

18. Water Related Matters

- a. Water Court Proceedings: The County Attorney has the authority 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: The Department Director has the authority 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.

19. Gateway to the Rockies Opioid Council (GROC)

- a. The County Manager has the authority to sign all contract documents entered into by the County on behalf of GROC, following approval by GROC of all material terms of the contract document in accordance with GROC's standard operating procedures and approval as to form by the County Attorney's Office.