

## **Resolution 2018 – 15**

### **AMENDING PURCHASING POLICY AND PROCEDURES FOR PROFESSIONAL SERVICES**

WHEREAS, the Board of County Commissioners of Moffat County, State of Colorado, is authorized to act on behalf of Moffat County pursuant to Article XIV, Section 1 of the Colorado Constitution and Colorado Revised Statutes §30-11-101, §30-11-103, and §30-11-107; and

WHEREAS, pursuant to C.R.S. §30-11-103, the powers of a county as a body politic and corporate shall be exercised by the board of county commissioners; and

WHEREAS, pursuant to C.R.S. §30-11-107(1)(aa), the Board of County Commissioners has power at any meeting to establish policies and procedures regarding entering into contracts binding on the county where amounts specified in such policies and procedures and where such contracts otherwise comply with limits and requirements set forth in such policies and procedures; and

WHEREAS, the Board of County Commissioners of Moffat County adopted Purchasing Policy and Procedures for Moffat County on August 31, 2004; and has amended those policies in Resolutions 2008-62, 2013-49, and 2014-28; and

WHEREAS, the existing Policies and Procedures of Moffat County need to be amended when Professional Services are sought by the County. Moffat County often requires timely service from professionals and would benefit by having the flexibility to contract for Professional Services based on the qualifications of the professional. The State of Colorado negotiates contracts for Professional Services with the highest qualified person, not through a bid process. The State negotiates for professional services at compensation which is determined to be fair and reasonable, taking into account the estimated value of the services to be rendered and the scope, complexity, and professional nature thereof. This Board finds it would be beneficial for Moffat County to distinguish between its policies of procurement for Professional Services and its policies of procurement for capital improvements, vehicles, and equipment; and

WHEREAS, Moffat County sometimes requires Professional Services in specialized areas such as architecture, engineering, law, mapping, GIS technology, oil and gas appraisal, feasibility studies, public policy services, and other areas of expertise. The Board believes it is in the best interests of Moffat County to amend its Purchasing Policy and Procedures when Professional Services are sought by the County so that the Board has appropriate flexibility to acquire Professional Services, without the delay of going out to bid for such services. The Board of County Commissioners of Moffat County has determined it is appropriate to be able to negotiate for Professional Services without going out for bids when the cost for such Professional Services is \$25,000.00 or less. In the event a Moffat County project is funded, or partially funded, by a funding source such as a grant which requires a formal bid process, then this policy should take that requirement into consideration.

