

**CITY OF BRIGHTON  
CITY COUNCIL RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, TO FIND AND ACKNOWLEDGE THAT GOOD CAUSE EXISTS AND THAT IT IS IN THE BEST INTERESTS OF THE CITY TO WAIVE THE FORMAL REQUEST FOR PROPOSAL PROCEDURES FOR PROFESSIONAL SERVICES CONTRACT FOR WATER RESOURCES ENGINEERING AND APPROVE AN EXTENSION OF THE CURRENT PROFESSIONAL SERVICES CONTRACT FOR WATER RESOURCES ENGINEERING WITH WHITE SANDS WATER ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED TWO HUNDRED TEN DOLLARS (\$210.00) PER HOUR FOR CALENDAR YEAR 2018; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENTS ON BEHALF OF THE WATER ACTIVITY ENTERPRISE; AND SETTING FORTH OTHER DETAILS RELATED THERETO.**

**RESOLUTION NO: 2017-153**

**WHEREAS**, pursuant to Section 31-15-101 (1) c of the Colorado revised Statutes, municipalities are vested with the power to enter into contracts; and

**WHEREAS**, Section 3-8-10 and 3-08-20 of the Brighton Municipal Code recognize “professional services contracts” as not susceptible to formal sealed-bid procedures, and authorize the City to enter into said contracts, when it is deemed in the best interest of the City to do so; and

**WHEREAS**, Section 3-8-120 of the Brighton Municipal Code provides that, ‘for good cause shown’, the City Council can waive the formal procurement process for contracts greater than \$50,000; and

**WHEREAS**, White Sands Water Engineers, Inc. provides expert advice and expertise in water resources engineering related to the protection and acquisition of City of Brighton water rights; and

**WHEREAS**, White Sands Water Engineers, Inc. have extensive knowledge in ongoing utility matters that are critical to the preservation and operation of the City’s water supplies; and

**WHEREAS**, White Sands Water Engineers, Inc. have agreed to provide services related to water resources engineering for the City and enter into a Professional Services Agreement with the City’s Water Activity Enterprise; and

**WHEREAS**, the City believes that White Sands Water Engineers, Inc. possess the expertise and essential knowledge necessary to perform the services as specifically set forth in the subject Agreements and that the terms thereof are reasonable; and

**WHEREAS**, the rates provided by White Sands Water Engineers, Inc. are competitive; and

**WHEREAS**, this contract will be funded through and limited by available operating budget as approved by the City Council in the calendar year in which work will be completed; and

**WHEREAS**, the City Council believes that it is in the best interest of the City to waive the formal request for proposal procedures and approve the Professional Services Agreement for Water Resources Engineering.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, AS FOLLOWS:**

1. A waiver of formal proposal process for the Professional Services Agreement for Water Resources Engineering is hereby approved.
2. The Professional Services Agreement for Water Resources Engineering with White Sands Water Engineers, Inc. in an amount not to exceed two hundred ten dollars (\$210.00) per hour, is hereby approved for calendar year 2018.
3. The Mayor is hereby authorized to execute said agreement on behalf of the Water Activity Enterprise.

**RESOLVED THIS 19<sup>th</sup> DAY OF December, 2017**

**CITY OF BRIGHTON, COLORADO**

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**Richard N. McLean, Mayor**

Attest:

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Natalie Hoel, City Clerk

Approved as to form:

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Margaret R. Brubaker, Esq., City Attorney