

**CITY OF BRIGHTON
CITY COUNCIL RESOLUTION**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER 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 CONTRACT RENEWALS OF BRIGHTON'S WATER RESOURCES PROFESSIONALS: FISCHER, BROWN, BARTLETT, AND GUNN, P.C.; WHITE SANDS WATER ENGINEERS, INC; AND LEONARD RICE ENGINEERS, INC.

RESOLUTION NUMBER: 2015-18

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, Fischer, Brown, Bartlett, and Gunn, P.C.; White Sands Water Engineers, Inc.; and Leonard Rice Engineers, Inc. represent Brighton in water court proceedings and provide expert advice and expertise related to the procurement and protection of water supplies for Brighton; and

WHEREAS, these named water professionals have extensive knowledge in ongoing water rights matters that are critical to the preservation and operation of the City's water supply; and

WHEREAS, these named water professionals have agreed to provide related services to the City for water rights related matters and to enter into Professional Services Agreements with the City's Enterprise to set forth the parameters for the provision of those services in calendar year 2015; and

WHEREAS, the City believes that these named professionals possess the expertise and essential knowledge necessary to perform the services as specifically set forth in the subject Agreement; and

WHEREAS, the City Council believes that it is in the best interest of the City to waive the formal request for proposal procedures for these three contract renewals.

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

1. Good cause exists and it is in the best interests of the City to waive the formal request for proposal procedures for the renewal of contracts with Fischer, Brown, Bartlett, and Gunn, P.C.; White Sands Water Engineers, Inc; and Leonard Rice Engineers, Inc. for calendar year 2015.
2. The City Manager is authorized to negotiate the terms of a Professional Services Agreements with Fischer, Brown, Bartlett, and Gunn, P.C.; White Sands Water Engineers, Inc.; and Leonard Rice Engineers, Inc. and to provide the same to the City Council for approval.

RESOLVED THIS 17th DAY OF February, 2015

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

Attest:

Natalie Hoel, City Clerk

Approved as to form:

Margaret R. Brubaker, Esq., City Attorney