

**RESOLUTION
BOARD OF DIRECTORS
EVANS FIRE PROTECTION DISTRICT**

A RESOLUTION APPROVING THE APRIL 28, 2025 AMENDMENTS TO THE EVANS FIRE PROTECTION DISTRICT 2021 FINANCIAL POLICIES

WHEREAS, the Evans Fire Protection District ("**District**") is a political subdivision of the State of Colorado, organized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, to provide fire suppression, fire prevention and public education, emergency medical, emergency rescue, and hazardous materials services to the citizens and property within its jurisdiction, and to individuals passing through its jurisdiction;

WHEREAS, pursuant to C.R.S. § 32-1-1001(1)(h), the District's Board of Directors ("**Board**") has the power to manage, control, and supervise all of the District's business and affairs; and

WHEREAS, in January 2021, the Board adopted the District's Financial Policies, and now wishes to amend the District's 2021 Financial Policies as provided herein.

NOW THEREFORE, be it resolved by the Board of Directors of the Evans Fire Protection District that:

- I. Section 104.9, Bids and Contracts, is revised in its entirety to read:

104.9 Bids and Contracts

Competitive Bidding

Except as provided under "Sole Source Procurements", below, the District requires staff to solicit a minimum of two bids for any purchase of goods with a life of more than one year, unless the goods are purchased through the state purchase program. A notice of bid must also be published for construction contracts for work or materials, or both, of \$120,000 or more, and such contracts require consideration of a minimum of two bids unless there is only a single bidder.

Selection of vendors, contractors, or consultants may be based on past experience with the District, knowledge of the District and region, philosophy of the nature of the job, availability of time, quality of product, quality of service and material, maintenance, warranties, price, and such other criteria as deemed appropriate for a particular public project. Selection of a vendor on contracts greater than \$25,000 is subject to District Board approval of the contract.

When an invitation for bid, RFP, or RFQ is required by law, a notice will be published in a local newspaper within 45 days and not less than 10 days from the response deadline. The request shall include an adequate description of the scope of work to be completed, any specifics which may be required of the vendor, including the amount of any bid bond, all contractual terms material to the request and response, and conditions applicable to the public project. Bids/responses shall be opened publicly at the time and place designated in

the invitation for bids, RFP, or RFQ. The amount of each bid and/or such other relevant information as may be specified by rules, together with the name of each bidder/responder, shall be entered on a record and open to public inspection.

After the time of the award, all bids, RFP, and RFQ documents shall be open to public inspection, except for those parts designated as confidential and proprietary in accordance with the Colorado Public (Open) Records Act. The District shall not be obligated to select the lowest bidder/responder, but shall select based on the established criteria in the invitation to bid, RFP, or RFQ, or other criteria in the best interests of the District as determined by the District, in its sole discretion. The District may choose not to select any bid/response and to terminate or reopen the bidding or request process. Bidders/responders may be disqualified for past failure to follow proper change order processes. The District will use electronic means (i.e. internet, email, *etc.*) to inform potential vendors and may use technology to improve transparency and purchasing efficiencies for the District.

Sole Source Procurements

Except for construction contracts for work or materials, or both, of \$120,000 or more, the District may utilize a sole source procurement: (a) when the goods are only available from a sole source; (b) for ongoing service contracts where the District's past experience with the service provider is a compelling reason to continue a service contract from year to year; (c) when utilizing a single vendor is crucial to the cost, delivery, or complexity of the procurement, including but not limited to maintaining uniformity or compatibility of aesthetics, equipment, accessories, or replacement parts; or (d) when good are available only from a limited number of vendors and, in the District's experience, only one of the available vendors consistently provides satisfactory delivery time, quality of product, quality of service and material, maintenance, warranties, price, and such other criteria as deemed appropriate for particular goods.

District staff shall advise the Board of its intent to seek a sole source procurement pursuant to this provision, and shall document the basis therefor. District staff also should make a good faith attempt to negotiate the price, terms, and delivery of any sole source procurement, and to "spot check" the proffered terms based upon recent similar purchases made by other fire protection districts or public agencies. The Board may, in its discretion, direct District staff to obtain bids for the purchase rather than utilizing the sole source procurement, in accordance with the procedures provided in "Competitive Bidding", above.

2. All other provisions of the District's 2021 Financial Policies remain in effect as written, and are unaffected by this amendment.

ADOPTED this 28th of April, 2025.

BY THE BOARD OF DIRECTORS
EVANS FIRE PROTECTION DISTRICT



President



Secretary