

ADMINISTRATIVE REGULATION 2024-02

MAYOR BLESSING A. MOBOLADE

DATE: May 8, 2024

TOPIC: Contract Signature Delegation

LEGAL AUTHORITY: City Charter §§ 4-10, 4-40(d), (f), (g) and (k)
City Code §§ 1.2.313, 1.2.314, 1.2.404, 1.2.408(B)
Revised AR 12-01, AR 14-01, AR 20-05 and AR 22-01

1.0 Purpose and Scope: This Administrative Regulation updates the delegation and signature authority of the City's Chief of Staff, Deputy Chiefs of Staff, and Department Heads. This Administrative Regulation also identifies those persons and positions who may approve municipal requisitions, invoices and payment requests on behalf of the Mayor. Finally, as of its effective date this Administrative Regulation rescinds Revised AR 12-01, AR 14-01, and AR 22-01, creating a single and consolidated signature delegation regulation.

2.0 Terms Defined:

2.1 "Consideration" - Anything of value, including direct or indirect service, benefit, cash, or other tangible or intangible asset, regardless of whether or how the service, benefit or other tangible or intangible asset can be measured. The determination of consideration is administrative in nature.

2.2 "Contract" - An agreement between the City's municipal government and a third party for which an offer of goods or services is made and accepted for consideration, regardless of the title of the document. "Contract" does not include any agreement by which future intentions, actions or relationships are outlined, defined or anticipated, or a contract or agreement subject to the provisions of the City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021.

This Administrative Regulation also does not apply to activities defined as "Contract Administration" functions such as change orders, amendments, and purchase orders in furtherance of a previously executed contract.

2.3 "Department Heads" - Those municipal officers appointed by the Mayor pursuant to City Charter § 4-40(f). "Department Heads" shall also include those persons who have operational or supervisory authority over public works, parks, community development, the Colorado Springs Airport, the municipal enterprises, and any director or manager of a City Department, division, office, agency or enterprise if the Mayor's appointment authority is set forth by ordinance. For purposes of this Administrative Regulation, "Department Heads" shall include the City Council Administrator and the City Auditor but not the Presiding Municipal Court Judge or the Municipal Court Judges.

2.4 "Electronic Signature" - A signature provided on a contract, agreement or other document as set forth in this Administrative Regulation, through electronic means, including the utilization of, but not limited to, programs such as DocuSign, PandaDoc, eversign, Adobe Sign, Sign Request, eSignLive, and PeopleSoft, or a signature typed into an agreement or other document using word processing programs or software.

2.5 "Invoice" or "Payment Request" - The City record of a transaction between a City department or municipal enterprise and another public or private entity that must be approved by the Mayor or the Mayor's staff subject to delegations contained in this policy.

2.6 "Requisition" - An internal document by which a department sends details of required supplies, services, or materials to be procured.

2.7 "Senior Staff" - An employee who is in a "manager" band as described in the City's Human Resources salary schedule.

2.8 "Sign" or "Signature" - The physical or electronic marking of a contract by the Mayor or the Mayor's delegate intended to approve and execute the contract.

3.0 Procedures:

3.1 In General:

3.1.1 The Mayor retains ultimate authority to approve and execute all contracts, requisitions, invoices, and payment requests of any amount, and to delegate approval authority in accordance with the City of Colorado Springs Procurement Rules and Regulations and other applicable laws, rules and regulations.

3.1.2 Prior to exercising any authority or delegation, Department Heads, the Chief of Staff, Deputy Chiefs of Staff, and the Procurement Services Manager must verify that any contracts that are not executed in accordance with a standard pre-approved City form has been approved as to form by the City Attorney's Office in accord with City Code § 1.2.404.

The appropriate Department Head must ensure that sufficient funds have been appropriated to satisfy the City's liability under the contract in accord with City Charter § 7-60.

Any department level signature delegation in effect at the time of this Administrative Regulation shall, pursuant to the execution of this Administrative Regulation, be amended to reflect the signature delegation limits contained herein.

3.1.3 To facilitate efficient operations, Department Heads, the Chief of Staff, and Deputy Chiefs of Staff shall timely review, approve and execute contracts,

requisitions, invoices and payment requests, or forward the contract, requisition, invoice, or payment request in accord with Section 3.2 below. If the Chief of Staff, Deputy Chiefs of Staff or the Mayor has questions regarding the contract, requisition, invoice, or payment request, the Department Head, Chief of Staff or Deputy Chiefs of Staff, as applicable, shall likewise respond to those questions in a timely manner.

3.1.4 Subject to the authorization and delegation in Section 3.2 below, Department Heads, the Chief of Staff and the Deputy Chiefs of Staff may delegate the contract signature and payment request authority granted by this Administrative Regulation to Senior Staff within their administrative structures. Further delegations for requisitions and invoices must be consistent with this Administrative Regulation. All delegations must be in writing and signed by the applicable Department Head, Chief of Staff or Deputy Chief of Staff, copies of which must be provided to the Mayor and City Attorney.

3.2 Delegation of Authority: The Mayor hereby delegates to Department Heads, the Chief of Staff, and the Deputy Chiefs of Staff full authority to approve and execute contracts and requisitions by signature and electronic signature, and to approve invoices and payment requests utilizing signature or other electronic means, subject to following the restrictions notwithstanding and pursuant to the City Procurement Rules and Regulations:

3.2.1 Department Heads or their authorized designee(s) may approve and execute by signature or electronic signature contracts and requisitions, and to approve invoices and payment requests, having articulated consideration of not more than One Hundred Forty-Nine Thousand Dollars and Ninety-Nine Cents (\$149,999.99).

3.2.2 For contracts, requisitions not associated with a previously executed contract, invoices, and payment requests having articulated consideration of One Hundred Fifty Thousand Dollars (\$150,000.00) to Four Hundred Ninety-Nine Thousand Dollars and Ninety-Nine Cents (\$499,999.99), Department Heads shall review and may recommend approval by initialing and dating the contract, requisition, invoice or payment request for approval by signature or utilizing other electronic means as established by the Information Technology ("IT") Department and forwarding to the appropriate Deputy Chief of Staff.

3.2.3 For contracts, requisitions not associated with a previously executed contract, invoices, and payment requests having articulated consideration of Five Hundred Thousand Dollars (\$500,000.00) to 1 Million Nine Hundred Ninety-Nine Thousand Dollars and Ninety-Nine Cents (\$1,999,999.99), the appropriate Deputy Chief of Staff shall review and may recommend approval by initialing and dating the contract, requisition, invoice or payment request for approval by signature or utilizing other electronic means as established by the IT Department and forwarding to the Chief of Staff.

3.2.4 For contracts, requisitions not associated with a previously executed contract, invoices, and payment requests having articulated consideration of Two Million Dollars (\$2,000,000.00) or more, the Chief of Staff shall review and may recommend approval by initialing and dating the contract, requisition, invoice or payment request for approval by signature or utilizing other electronic means as established by the IT Department and forwarding it to the Mayor for approval and execution by signature or electronic signature.

3.2.5 Subject to the verification of the authenticity of an executed City contract, the City's Procurement Services Manager or the Procurement Services Manager's designee(s), shall be authorized to approve all requisitions issued pursuant to such contract regardless of the amount, and shall not be required to obtain the prior approvals that are required in Sections 3.2.2 through 3.2.4.

3.3 Effect: A Department Head, Chief of Staff, Deputy Chief of Staff, or a senior staff member's approval and execution of a contract, requisition, invoice or payment request by signature or electronic signature shall be recognized as approval and execution of the contract by the Mayor, so long as the delegation of authority exercised by the Department Head, the Chief of Staff, Deputy Chief of Staff or the senior staff member is in compliance with this Administrative Regulation.

4.0 Miscellaneous

4.1 This Administrative Regulation shall be effective as of **May 13, 2024**, and shall remain in effect until amended or rescinded.

4.2 Upon the effective date of this Administrative Regulation, the following Administrative Regulations are hereby rescinded: Revised AR 12-01, AR 14-01, and AR 22-01.

4.3 This Administrative Regulation shall be filed with the City Attorney and made available for public inspection on the City's website.



Blessing A. Mobolade, Mayor

APPROVED AS TO FORM:



Office of the City Attorney