

RESOLUTION 2019-12

A Resolution of the Four Corner County Water and Sewer District to Adopt Rules Governing
Sole Source Procurement

RECITALS

WHEREAS, the Four Corners County Water and Sewer District (“District”) is a county water and sewer district duly established in 2003; and

WHEREAS, the District regularly procures supplies and services as part of managing, operating, and maintaining the water and sewer facilities; and

WHEREAS, the District is obliged to follow a competitive bidding process for goods and services as required by Section 7-5-2301, MCA; and

WHEREAS, state law, particularly Section 18-4-124, MCA, provides that a political subdivision of the State may adopt any or all parts of Chapter 4 of Title 18, and specifically 18-4-306(a) MCA, as well as the accompanying rules promulgated by the State Department of Administration; and

WHEREAS, in certain situations, there is only one suitable source for a good or service;

WHEREAS, it would be in the best interests of the District to adopt rules allowing for sole source procurement when there is only one suitable source for a good or service;

NOW THEREFORE, the Four Corners County Water and Sewer District resolves to adopt the sole source procurement powers and procedures identified in the form attached hereto as Exhibit “A”, which is based on Section 18-4-306, MCA and modified to refer to the appropriate parties.

Dated this __ day of August, 2019.

Cory Klumb, President

ATTESTED:

Maralee Parsons Sullivan, Secretary

EXHIBIT "A"

Sole Source Procurement – Records

(1) A contract may be awarded for a supply or service item without competition when, under rules adopted by the District, the General Manager, or a designee determines in writing that:

- (a) there is only one source for the supply or service item;
- (b) only one source is acceptable or suitable for the supply or service item; or
- (c) the supply or service item must be compatible with current supplies or services.

(2) The District may require the submission of cost or pricing data in connection with an award under this section.

(3) The District shall maintain or shall require the General Manager to maintain a record listing all contracts made under this section for a minimum of 4 years. The record must contain:

- (a) each contractor's name;
 - (b) the amount and type of each contract; and
 - (c) a listing of the supplies or services procured under each contract.
- (4) The record must be available for public inspection.