

RESOLUTION NO. 2025-109

A RESOLUTION WAIVING THE FORMAL WRITTEN BIDDING REQUIREMENT ON THE BASIS OF SOLE SOURCE AND APPROVING A THREE-YEAR MASTER SERVICES AGREEMENT WITH OPENGOV INC.

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) has identified a contractor to provide software support for the Town’s various recreational, traffic, and water assets for a period of three years (the “Services”); and

WHEREAS, the Town has determined that OpenGov, Inc. (the “Contractor”) is best qualified to perform the Services as the Town currently has a contract in place with the Contractor for like services and the continuity of these services are paramount to the successful operation of the Town’s functions; and

WHEREAS, under the Town Purchasing Policies and Procedures, the requirement for formal written sealed bids may be waived where only one known source exists, only one single supplier can fulfill the requirements, the service is of a unique nature, the service allows for standardization with existing equipment, or the Town currently has a contract in place with a contractor for similar work (“sole source”); and

WHEREAS, according to Section 3.02.060.A.4 of the Castle Rock Municipal Code, Town Council has the authority to waive the requirement for formal written sealed bids on the basis of sole source for the procurement of work or services in excess of \$250,000; and

WHEREAS, Town Staff recommends Town Council waive the formal written sealed bids requirement on the basis of sole source for the Project; and

WHEREAS, should Town Council approve the sole source with the Contractor, the Town and the Contractor have agreed to the terms and conditions by which the Contractor will provide the services and equipment for the Project (the “Agreement”).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Sole Source Approval. The sole source justification form is hereby approved in the form presented at tonight’s meeting.

Section 2. Agreement Approval. The Agreement between the Town and the Contractor is hereby approved in substantially the same form as presented at tonight’s meeting, with such technical changes, additions, modifications, deletions, or amendments as the Town Manager may approve upon consultation with the Town Attorney. The Mayor and other proper Town officials are hereby authorized to execute the Agreement and any technical amendments thereto by and on behalf of the Town.

Section 3. Encumbrance and Authorization for Payment. In order to meet the Town's financial obligations under the Agreement, the Town Council authorizes the expenditure and payment in an amount not to exceed \$297,840.75, unless authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this 16 day of September, 2025, by the Town Council of the Town of Castle Rock, Colorado, on first and final reading, by a vote of ___ for and ___ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Michael J. Hyman, Town Attorney

Kristin Read, Assistant Town Manager