

Station 16
8130 3rd Street
Wellington, CO 80549



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106 W. County Road 66
Fort Collins, CO 80524

Wellington Fire Protection District Bylaws

1. LEGAL STATUS. The Wellington Fire Protection District is a fire protection district organized pursuant to Title 32 of the statutes of the State of Colorado, and as such is a political subdivision of the State of Colorado. It is a special district which provides fire protection, emergency medical, and rescue services as provided by law.
2. BOARD OF DIRECTORS. All powers, privileges and duties vested in, or imposed upon the Wellington Fire Protection District (hereinafter referred to as "District") by law shall be exercised and performed by and through the Board of Directors (hereinafter referred to as "Board") whether set forth specifically or impliedly in these bylaws.
3. OFFICES. The administrative offices of the District shall be at 8130 Third Street, Wellington CO 80549 unless otherwise designated by the Board. The mailing address shall be PO BOX 10, Wellington CO 80549. The Board shall meet at the District's Meeting/Board Room located at the administrative offices, (hereinafter referred to as "District's Board Room"). The Board, by resolution and as may be provided by law, may from time to time, designate, locate, and relocate its administrative and Board meeting locations as in its judgment, may be necessary to conduct the business of the District.
4. MEETINGS.
 - 4.1. Regular Meetings. Regular meetings of the Board shall be held on the third Wednesday of each month at 4:00 p.m. at the District's Board Room.
 - 4.2. Meetings to be Public. All meetings of the Board, other than executive sessions, shall be open to the public. Upon the affirmative vote of two-thirds of the quorum then present, the Board may hold an executive session only at any regular or special meeting and solely for the purpose of considering any of the following matters, (except that no formal action by way of adoption of any resolution, rule, regulation, or policy position shall occur in executive session):
 - 4.2.1.1. the consideration of real and personal property matters;
 - 4.2.1.2. conferences with legal counsel for the purposes of receiving legal advice on a specific legal question;
 - 4.2.1.3. matters required to be kept confidential by federal or state law;
 - 4.2.1.4. details of security arrangements or investigations;

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- 4.2.1.5. determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators;
 - 4.2.1.6. personnel matters [except if the employee/member who is the subject of the session has requested an open meeting and further excepting any discussions concerning the appointment of a person to fill the office of director or of an elected official, or any personnel policy that does not involve the discussion of matters personal to particular employees/members.];
 - 4.2.1.7. consideration of documents protected by mandatory nondisclosure provisions of the Colorado Open Records Act; or
- 4.3. Notice of Meetings. These bylaws shall constitute formal notice of regular meetings to Board members and except for special meetings, no other formal notice of regular meetings shall be required to be given to the directors, other than the permanent and temporary postings as required by law.
- 4.4. Electronic Notice: The District shall be deemed to have given full and timely notice of a public meeting if the District posts the notice, with specific agenda information if available, no less than 24 hours prior to holding the meeting on the District's public website.
- 4.5. Special Meetings. Special meetings of the Board may be called by any director with approval from the President Notice shall be posted twenty-four hours in advance at the District's designated posting location, (official website). Each director shall be informed of the date, time, and place of the special meeting, together with a statement of the purpose of the special meeting no less than 24 hours in advance of the special meeting.
- Telephonic or Electronic Meetings: "Location" means the physical, telephonic, electronic, or other virtual place, or combination of such means, where a meeting can be attended. Special and regular Board meetings can be held in a physical location, or by telephonic or other electronic means. §32-1-903(5), C.R.S.; HB21-1278.
- 4.5.1. Meetings of the Board that are held telephonically, electronically, or by other means not including physical presence must include the method or procedure, including the conference number or link, by which members of the public can attend the meeting. §32-1-903(3), C.R.S.; HB21-1278.

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5. CONDUCT OF BUSINESS

5.1. Quorum. All official business of the Board shall be transacted at a regular or special meeting at which a quorum (i.e., three) of the Directors shall be present, except as provided in Section 5.2. Directors are considered present for purposes of determining a quorum if they are either physically in attendance or attending through telephonic or other electronic means; provided, however, that any Directors attending remotely should provide advance notice of that intent to the Board president and provided that such member must be able to hear all discussion and public comment, if any, on any issue as a condition of voting on such issue.

5.2. Voting Requirements.

5.2.1. Any formal action of the Board shall require the affirmative vote of a majority of the Directors present and voting. When special or emergency circumstances materially affecting the affairs of the District or the health, welfare, and safety of District residents and property owners so dictate, then those Directors available at the time may undertake whatever emergency action is considered necessary and may so instruct the District's employees. Ratification of the action so taken shall be entered on the minutes at the next meeting of the Board.

5.2.2. Votes on motions resolutions, and orders shall be taken by voice vote conducted by the Chair stating, "All in favor, say Aye" and "All opposed, say No" or other similar language at the discretion of the Chair and which shall indicate the manner of responding to the question. Roll call votes may be taken at the request of any director, or at the direction of the Chair. Voting for the election of officers may be conducted by secret ballot at the discretion of the Board.

5.3. Agenda. Order of Business. An agenda for each meeting shall be prepared and posted at least 24 hours prior to the meeting. The business of all regular meetings of the Board shall be transacted, as far as practicable, in the following general order. Minor changes to the order and content of the agenda may be approved by the board without revising these by-laws. Approved revisions to the agenda will be attached to the by-laws as an addendum.

1. Call to Order
2. Roll Call of Board Members
3. Additions/Deletions to Agenda
4. Conflicts of Interest

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5. Correspondence
6. Public Comment
7. Employee Recognition
8. Guests/Presentations
9. Consent Agenda
 - a. Meeting minutes
10. Chief's Report
11. Employee Report
12. Committee Reports
13. District Business
 - a. Monthly Financial Report
14. Executive Session
15. Other
16. Calendar Items
17. Adjourn

Directors may submit items for a regular board meeting 1 week before the meeting to the Chief. Administration shall post the meeting agenda and packet on the website and shall email the agenda and packet to the Directors by the Friday before the meeting.

- 5.4. Motions, Resolutions, or Orders. Actions of the Board necessary for the governing and management of the affairs of the District, for the execution of the powers vested in the District, and for carrying into effect the provisions of Article 1 of Title 32 C.R.S., as amended, shall be taken by the passage of motions, resolutions, or orders, as may be appropriate. All such formal action shall require the majority vote of the quorum present.
- 5.5. Electronic Signatures. In the event the signature(s) of one or more members of the Board or appointed signatories are required to execute a written document, contract, note, bond, deed, and/or other official papers of the District, and the appropriate individual(s) is unable to be physically present to sign said documentation, such individual or individuals are authorized to execute the documentation electronically via facsimile or e-mail signature, unless said documentation provides otherwise. Any electronic signature so affixed to a document shall carry the full legal force and effect of any original, handwritten signature. Except as approved herein, this provision of these Bylaws shall not be interpreted as establishing District's consent or authorization to bind District to any transaction by the use of electronic records or electronic means. This provision is made pursuant to Article 71.3 of Title 24, C.R.S., also known as the Uniform Electronic Transactions Act.
- 5.6. Roberts Rules of Order. Roberts Rules of Order shall be utilized only as a guideline for matters coming before the Board; provided, however, that no action, formal or informal, shall be set aside due to any irregularity or noncompliance with Roberts Rules of Order. The Chair shall make

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all rulings with respect to procedural issues and shall have a vote on each issue coming before the Board.

5.7 Directors may remove an item from the agenda only by a two-thirds vote of the members present as prescribed by Robert's Rules of Order Chapter 26 (Objection to the Consideration of a Question).

6. DIRECTORS, OFFICERS AND PERSONNEL

6.1. Directors. The number of directors of the District shall be five (5).

6.2. Director Qualifications. Directors shall be qualified electors of the District as provided by law. To qualify as a Director of a special district, a person must be an "eligible elector" which is defined as a registered voter of Colorado and either:

6.2.1. A resident of the District, or

6.2.2. The owner (or the spouse or civil union partner of the owner) of taxable real or personal property situated in the District.

6.3. Terms. The term of each Director and elections shall be determined by applicable statutory provisions. The District's electors voted and approved to eliminate term limits in 1998. Even in a district without term limits, incumbents must submit a self-nomination form when their current term expires if they wish to retain their seat on the board.

6.4. Bond. At the expense of the District, each Director shall furnish a faithful performance surety bond. The bond may be a blanket bond or adequate insurance policy. Along with the oath or affirmation, an individual, schedule, or blanket surety bond of not less than \$1,000 must be filed for each Director, and \$5,000 for the Treasurer, with the Clerk of the Court and the Division of Local Government, conditioned upon the faithful performance of his/her duties as Director. §32-1-901(2), C.R.S.

6.5. Oath of Office. Each member of the Board, before assuming the responsibilities of his office, shall take and subscribe to the oath of office as required by state statute (within 30 days of being elected or appointed). The oath shall be filed with the clerk of the court, the county clerk and recorder, and the Division of Local Government.

6.6. Election of Officers. The Board of Directors shall elect from its membership a president who shall also serve as Chair of the board, a vice president, a treasurer, a secretary (who need not be a member of the Board), and such assistant secretaries and assistant treasurers, who shall be the officers of the Board of Directors and of the District, as the Board may determine. The Board may select a secretary who is not a member of the Board. The officers shall be elected by a

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majority of the Directors voting at the meeting in accordance with the voting procedures set forth in paragraph 5.2. The election of the officers shall be conducted biennially at the first regular meeting of the Board in the month following certification of elections. Each officer so elected shall serve at the pleasure of the Board or for a term which shall expire upon the election of the officer's successor or upon the officer's reelection to that office.

6.7. Vacancies. Any vacancy occurring in any officer position on the Board shall be filled for the unexpired term in the same manner as is provided for the election of full-term officers. Any vacancy on the Board shall be filled by appointment within 60 days of the vacancy by the remaining Directors as prescribed by statute, with or without advertisements of the vacancy at the discretion of the Board. All discussion of the selection, and the vote to select, shall be conducted in public session. The person appointed to fill the vacancy on the Board shall serve until the next regular board election. The following events automatically create a vacancy on the board:

- 6.7.1. No one gets elected to the seat (for example, if an election is cancelled due to an insufficient number of candidates and the open seat thus remains empty);
- 6.7.2. Failure to complete the required oath and bond within 30 days, except for good cause;
- 6.7.3. Written resignation (a resignation by e-mail is sufficient to create a vacancy);
- 6.7.4. Ceasing to be qualified to serve as a director (this is a matter of legal qualification, such as maintaining your voter registration in Colorado and your nexus to the district through residency within the district and/or ownership of taxable property within the district);
- 6.7.5. A felony conviction during board tenure;
- 6.7.6. A valid court order to remove a board member from office or to void an appointment or election;
- 6.7.7. Excessive absenteeism. A Director who fails to attend three consecutive regular meetings is automatically disqualified to serve as a Director, unless approval of absence is entered in the minutes. Approved absences include temporary mental or physical disability, or illness. Director absences must be identified in the official meeting minutes and must state whether the absence was excused or; and
- 6.7.8. . Board member dies during term.

6.8. Resignation and Recall. Directors may only be removed from office through the recall process as prescribed by state statute. Any Director may resign at any time by giving written notice to the

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Board, and acceptance of such resignation shall not be necessary to make it effective, unless the notice so provides.

- 6.9. President and Chair. The president shall be the president of the District and Chair of the Board and shall preside at all meetings. The president shall sign all contracts, deeds, notes, warrants and other instruments on behalf of the District, and discharge such other duties as may be required or authorized.
- 6.10. Vice President. The vice president shall perform the duties of president and Chair in the absence of the president.
- 6.11. Secretary. The secretary shall keep or cause to be kept full and accurate records of the District; shall act as secretary at meetings of the Board and record all votes; shall compose a record of the proceedings of the Board in a visual text format that may be transmitted electronically (such as PDF© or Word© format) which shall be an official record of the Board; and shall perform all duties incident to that office. The secretary shall be custodian of the seal of the District and shall have the power to affix such seal to and attest all contracts and instruments authorized to be executed by the Board.
- 6.12. Treasurer. The treasurer shall keep or cause to be kept strict and accurate accounts of all money received by and disbursed for and on behalf of the District in permanent records. The treasurer shall file with the Clerk of the Court, at the expense of the District, a corporate fidelity bond in an amount determined by the Board of not less than \$5,000 conditioned on the faithful performance of the duties of the office. If a budget or financial committee is established, the treasurer shall chair such committees. The Treasurer shall work with the financial consultants before all financial statements are included in the board packet. There shall be a special Budget Committee composed of one (1) community member appointed by each board member, and four (4) current employees of the Fire District as voting members. There shall be one employee from each rank based on seniority.
- 6.13. Additional Duties.
- 6.13.1. The officers of the Board shall perform such other duties and functions as may from time to time be required by the Board, by the bylaws or rules and regulations of the District, or by special exigencies, which may later be ratified by the Board; provided, however, that no director shall be employed by the District in any capacity.

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- 6.13.2. Within six months of taking the oath of office, Directors are encouraged to engage in and receive certification from FEMA Emergency Management Institute (EMI) for ICS100, ICS200, ICS700, and ICS800 and/or attend a Special District Association hosted new Board Member training session.
- 6.14. Chief of Department. The Board shall appoint a Chief of the Department, (hereinafter referred to as "Fire Chief") to serve for such term and upon such conditions, including salary, as the Board may establish pursuant to contract. The Fire Chief shall also serve as the Chief Executive Officer of the District and shall have general supervision over the administration of the affairs, employees and business of the District and shall be charged with the hiring and discharging of employees, subject to review by the Board. In addition to all statutorily prescribed duties, the Chief shall perform those duties as may be assigned by the Board and as are set forth in the job description. Job performance will be evaluated by the Board on an annual basis.
- 6.15. Selection and Tenure of Consultants. The selection of agents, engineers, architects, accountants, special consultants, and attorneys shall be made by the Board and shall be based upon the relative qualifications and capabilities of the applicants and shall not be based on political services or affiliations. Agents and consultants shall serve at the pleasure of the Board. Contracts for professional services may be entered into on such terms and conditions as determined by the Board.
7. Records Management
- 7.1. The District shall comply with and adopt and maintain policies as necessary for compliance with, applicable records retention, destruction, and disclosure requirements, including the Colorado Open Records Act, State Archives and Public Records law, and various consumer privacy legislation. Unless determined otherwise by the Board of Directors, the Fire Chief is hereby designated as the Official Custodian of Records pursuant to the Open Records Act. In the event there is any question as to whether the District is permitted to comply with an Open Records Act request, the Custodian of Records shall forward such request to the District's legal counsel. Copies of records shall be furnished per the District's Open Record Act Policy and applicable law.

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8. FINANCIAL ADMINISTRATION

- 8.1. Fiscal Year. The fiscal year of the District shall commence on January 1 and end on December 31 of each year.
- 8.2. Budget. On or before October 15 of each year, the Fire Chief, as the Board's designated Budget Officer, in conjunction with the Board appointed Budget Committee, if any, shall prepare and submit to the Board a proposed budget for the ensuing fiscal year. Such proposed budget shall set forth the aggregate figures of the budget in such manner as to show the balanced relations between the total proposed expenditures and the total anticipated income or other means of financing the proposed budget for the ensuing fiscal year, as contrasted with the corresponding figures for the last completed fiscal year and the current fiscal year. It shall be supported by explanatory schedules or statements classifying the expenditures contained therein by services, subjects, and funds. The anticipated income of the District shall be classified according to the nature of receipts.
- 8.3. Notice of Budget. Upon receipt of such proposed budget, the Board shall cause to be published a public notice that the proposed budget is open for inspection by the public at the business office; that the Board will consider the adoption of the proposed budget following a public hearing on a certain date; and that any interested elector may inspect the proposed budget and file or register any objections thereto at any time prior to its final adoption.
- 8.4. Adoption of Budget. On the day set for consideration of such proposed budget (on or before December 15), the Board shall hold a public hearing to receive any comments on the proposed budget and shall review the proposed budget and revise, alter, increase, or decrease the items as it deems necessary in view of the needs of the District and the probable income of the District. The Board shall thereafter formally adopt the budget setting forth the expenditures to be made in the ensuing fiscal year. The Board shall provide for sufficient revenues to finance budget expenditures through formal adoption of an appropriation of funds to meet budget expectations.
- 8.5. Appropriation Resolution. At a meeting held no later than December 15 each year (to meet the deadline to certify the mill levy), the Board shall enact a resolution making appropriations for the ensuing fiscal year. The amounts appropriated shall not exceed the amounts established in the adopted budget (including any appropriated reserves).

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- 8.6. Levy and Collection of Taxes. On or before December 15th of each year the Board shall pass a resolution setting the mill levy for the District and shall certify to the Board of County Commissioners of the County or Counties in which the District is located the mill levy established for the ensuing fiscal year.
- 8.7. Filing of Budget. Within 30 days of adoption of the budget, the Board shall cause a certified copy of such budget to be filed with the Division of Local Government in the Department of Local Affairs.
- 8.8. Contracts. No Contract to Exceed Appropriation; Contract Authorization.
- 8.8.1. The Board shall have no authority to enter into any contract, or otherwise bind or obligate the District to any liability for payment of money for any purposes in excess of the amount of such appropriation for that fiscal year, either as to individual line item or the budget as a whole. Any contract, verbal or written, contrary to the terms of this sub-section shall be void ab initio, and no District funds shall be expended in payment of such contracts, except as provided in the following sub- section.
- 8.8.2. The Board shall approve all contractual obligations of the District. However, the Board may delegate general purchasing authority for routine supplies and expenditures to the Fire Chief through written policy.
- 8.9. Contingencies. In cases of emergency which could not have been reasonably foreseen at the time of adoption of the budget, the governing body may authorize the expenditure of funds in of the appropriation by ordinance or resolution duly adopted by a majority vote of such governing body at a public meeting. Such ordinance or resolution shall set forth the facts concerning such emergency and shall be documented in detail in the minutes of the meeting of such governing body at which such ordinance or resolution was adopted. A certified copy of such ordinance or resolution shall be filed with the division.
- 8.10. Annual Audit. The Board shall cause an annual audit to be made of all financial affairs of the District through December 31st of the prior fiscal year. A copy of the audit report shall be maintained in the District office as a public record for public inspection at all reasonable times. The Treasurer shall forward a copy of the audit report to the State Auditor pursuant to statutory requirements, within thirty days following receipt of the audit.
- 8.11. Checks. All checks issued on behalf of the District shall be specifically approved by the Board and signed by two authorized signors.

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8.12. As required by Colorado State Statutes (24-77-104), 3% of fiscal year spending (excluding bonded debt service) shall be budgeted each year as Emergency Reserves. These emergency reserves can be used for declared emergencies only. Emergencies, as conditions, revenue shortfalls, or salary or fringe benefit increases.

2.5 months worth of expenses shall be budgeted each year as Operating Reserves. These reserves are to be used for Jan through March operating expenses to pay bills until the District's first property tax payment is made around March 10th.

Any additional fund balance over and above these two reserves shall not be used for operating expenses but can be used at the discretion of the Board for capital improvement projects and other one (1) time purchases.

The District shall not enter into any obligations or new loans in which the loan payments are due between January through March because this is the time that the District receives little revenue and may be living off of reserves.

Volunteer pension shall be paid by November 1st each year to give the payment enough time to hit the account and for the State to pay their contribution amount.

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9. DISTRICT SEAL. The seal of the District shall be a circle containing the name of the District and shall be used on all documents and in such manner as seals generally are used by public and private corporations. The Secretary shall have or delegate custody of the seal and shall be responsible for its safe keeping and care.

10. CONFLICT OF INTEREST.
 - 10.1. Disclosure of Conflict of Interest. A potential conflict of interest of any Director shall be disclosed in accordance with State law, particularly Article 18 of Title 24, C.R.S., and Sections 32-1-902(3) and 18-8-308, C.R.S. Any Director who is present at a meeting at which is discussed any matter in which that Director has, directly or indirectly, a private pecuniary or property interest shall disclose such interest to the Board. Unless such Director has given prior advance written notice to the Colorado Secretary of State and to the Board, in accordance with all statutory requirements, such Director shall refrain from advocating for or against the matter and shall disqualify himself/herself from voting on such matter. The Board may adopt a separate policy specifically regarding ethical standards and practices.

 - 10.2. Compensation. If the Board consents to and budgets for board compensation, each Director shall receive the maximum compensation authorized by statute. No compensation shall be paid for any meeting at which that director was absent regardless of whether such absence was excused. Directors shall not receive any other compensation as an employee of the District but may be reimbursed for actual expenses incurred as part of their official duties, as provided by state statute.

 - 10.3. Disclosure of Gifts, Property, etc. Any director receiving any money, loan, gift, or property based on their service as a director shall report such money, loan, gift, or property to the Board and as otherwise may be required by law. Directors are permitted to accept gifts of nominal value at a threshold set by the State of Colorado (as of the adoption of these Bylaws, this amount is \$65).

11. INDEMNIFICATION OF DIRECTORS AND EMPLOYEES. To the extent provided by law, the District shall defend, hold harmless and indemnify any Director, officer, agent, volunteer, or employee, whether elective or appointive, against any tort or liability, claim or demand, whether groundless or otherwise, arising out of any alleged act or omission occurring during the performance of duty. The District may compromise and settle any such claim or suit and/or pay the amount of any settlement or judgment rendered thereon. The provisions of this Section 11 shall be subject to the provisions of the Colorado Governmental Immunity Act, Sec. 24-10-101, et seq., C.R.S., the Colorado constitution, and any other

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applicable law. Nothing herein is to be construed as a waiver of any immunity or defense provided by law.

11.1. For the purposes of this Section 11 only, the following definitions shall apply:

11.1.1. "Employee". The term "employee" means a director, officer, employee, or servant (hereinafter collectively referred to as "employee") of the District, whether or not compensated, elected or appointed. The term "employee" specifically excludes any person or organization contracting to perform services or acting for the District as an independent contractor.

11.1.2. "Performance of Duty". The term "performance of duty" shall be interpreted as broadly as possible to include any situation in which a District employee could conceivably be deemed to be acting within the scope of employment. It shall specifically extend to all employees who are providing service on a voluntary basis or otherwise to any private, corporate, or governmental party other than the District, when doing so with the appropriate consent and authorization from the District. The term "Performance of duty" shall not include any act or omission constituting deliberate and intentional tortious or criminal conduct or malfeasance in office, willful or wanton neglect of duty, or conduct which is otherwise determined to be outside the scope of duty.

12. **BIDDING AND CONTRACTING PROCEDURES.** Except in cases in which the District will receive aid from a government agency, or when the Board determines to utilize integrated project delivery contract as provided below, a notice shall be published for bids on all construction contracts for work or material, or both, involving an expense of \$60,000.00 or more. The District may reject all bids. If it appears that the District can perform the work or secure material for less than the lowest bid, it may proceed to do so. If possible, at least three quotes shall be obtained for construction contracts for work or material, or both, involving an expense less than \$60,000.00. The purchase of professional services, fire equipment, apparatus, and vehicles are not subject to these bidding procedures provided, however, that the Board may adopt specific policies with respect to the purchase of such equipment, apparatus, and vehicles.

12.1. A Notice or Invitation to bid shall be published in a newspaper of general circulation within the District boundaries pursuant to state statute. The Notice will request sealed proposals for the specific project. The specifics of the contract will be stated; where and when the plans and specifications may be examined; and the time and place the sealed proposals will be opened and

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publicly read.

- 12.2. The Board always retains the right, in its sole discretion, to reject any or all proposals; determine the proposal and subcontractors that will serve the best interests of the District; and determine the proposal and subcontractors which are most responsible to perform the work.
- 12.3. The Board may determine that bids must be accompanied by an acceptable bidder's bond, or a certified check payable to the District, in an amount equal to 5% of the bid. If within the time designated in the Notice of Award, the Contract is not executed, and, if required, Payment and Performance Bonds and Certificates of Insurance are not provided, the District shall keep the bid bond as liquidated damages and assess such other damages as the District may determine.
- 12.4. Payment and Performance Bonds are required for all construction contracts over \$50,000.00; and shall be discretionary with the Board for contracts which are under that amount.
- 12.5. As an alternative to hiring an architect or engineer to design a project, if the Board determines by resolution that an integrated project delivery ("IPD") contract would represent a timely or cost-effective alternative for a public project, the Board may:
 - 12.5.1. Pre-qualify contracting entities by publishing a notice of a "request for qualifications" (RFQ) that may include: a description of project; general budget considerations; specific criteria; evidence of competency/experience and capabilities, evidence of all required registrations/credentials to provide the services; and the criteria for prequalification. If an RFQ is published, then the Board must select and prepare a short list of entities that it considers to be most qualified.
 - 12.5.2. A request for proposals (RFP) shall then be sent to those on the short list, or, if no RFQ has been done, then the RFP shall be published/advertised. The RFP may contain: procedures to be followed for submitting proposals; criteria for evaluation of proposals; procedures for making the award; required performance standards; description of the drawings, specs, or other submittals to be provided; relevant budget considerations; proposed schedule; and the stipend, if any, that will be paid to those on the short list who are not selected if an RFQ is utilized.
 - 12.5.3. Prequalification is not required, but if an RFQ is published, then the Board must select and prepare a short list of entities that it considers to be most qualified. The Board may

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then issue the RFP to only those prequalified entities and select the proposal that is in the best interests of the District.

12.5.4. Other than the public bid requirement (which the IPD replaces if utilized), all other construction laws are applicable to a district construction project (e.g., performance bonds, notice of final settlement, etc.).

12.6. In either process, five percent (5%) of all pay estimates shall be withheld during the construction in accordance with applicable law.

13. POWERS OF THE BOARD OF DIRECTORS. Without restricting the general powers conferred by law, it is hereby expressly declared that the Board shall have the following power and duties:

13.1. To determine and designate, except as otherwise provided by law or these bylaws, who shall be authorized to make purchases, negotiate for the purchase of real estate, negotiate leases, and sign receipts, endorsements, checks, releases, and other documents.

13.2. To create standing or special committees and to delegate such power and authority thereto as the Board deems necessary and proper for the performance of such committee's functions and obligations, consistent with statutory powers.

14. MODIFICATION OF BYLAWS. These bylaws may be altered, amended, or repealed at any regular meeting or at any special meeting of the Board called for that purpose after an initial presentation of the proposal at a prior regular meeting of the Board.

15. SEVERABILITY. If any provision of these Bylaws or the application thereof is held invalid, such invalidity shall not affect the provisions or applications of these Bylaws which can be given effect without the invalid provision or application. To this end, the provisions of these Bylaws are deemed severable.

Station 16
8130 3rd Street
Wellington, CO 80549

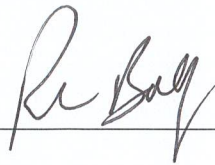


Station 17
106 W. County Road 66
Fort Collins, CO 80524

Wellington Fire Protection District Bylaws

ADOPTED this 31ST day of OCT, 2024 by the Board of Directors of the Wellington Fire Protection District.

WELLINGTON FIRE PROTECTION DISTRICT



President

ATTEST:


Secretary

Revised 5-15-24