
**DOUGLAS COUNTY ADMINISTRATIVE
POLICIES AND PROCEDURES**

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EFFECTIVE DATE: 04/01/93
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AUTHORITY: BOC
COUNTY MANAGER: JPD
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SUBJECT: AGREEMENT AUTHORIZATION PROCESS: FOR BOARD ITEMS & INTERNAL REVIEW COMMITTEE ITEMS, FILING/RECORDING AGREEMENTS AND DELEGATING TO THE COUNTY MANAGER AUTHORIZATION TO SIGN CERTAIN AGREEMENTS.

- I. **BRIEF DESCRIPTION:** To outline procedures and policies regarding the process for contracts, agreements, and change orders (hereafter collectively referred to as “agreement(s)” which come before either the Douglas County Board of Commissioners for signature or formal approval consistent with Nevada Revised Statutes (NRS) 244.075; or signature and approval by the Internal Review Committee. As well as, the Board of County Commissioners formally delegating authority to the County Manager to sign agreement(s) to contract, purchase, or expend County moneys in an amount of \$50,000 or less as allowed by NRS 245.070.
- II. **PROCEDURE/POLICY:**
- A. Agreement(s) for purpose of this policy means a document which creates rights and obligations between Douglas County and one or more parties, which resulted from a negotiation or transaction, and requires a signature from Douglas County and another party or parties.
- B. Agreement(s) which obligate the County to expend:
- **\$10,000 or less** can be approved and signed by the elected official or department head. It is the responsibility of the elected or department head to retain the original/copy of the agreement(s) for the required retention period per the Nevada State Library, Archives & Public Records Local Government Records Retention Schedule and County Policy 600.01.
 - **\$10,000.01 to \$50,000** should be submitted to the Internal Review Committee in accordance with policy 100.06, Internal Review Committee. The Douglas County Manager is responsible for signing agreement(s) between \$10,000.01 and \$50,000. The Internal Review Committee will retain the original/copy of the agreement in a central repository managed by the County Manager’s Office.
 - **\$50,000.01 and higher** must be submitted to the Board of County Commissioners for approval and signature by the Chair or his/her designee in accordance with NRS 245.070. These agreement(s) must be routed through the Clerk’s Office to be filed and indexed as outlined below and subsequently recorded by the Recorder’s Office.
 - **Real Property** Agreement(s), regardless of the amount of money being exchanged must be recorded in the Recorder’s Office. This includes the selling, purchase, or dedication of real property, easements, rights-of-way, license, or any other interest in real property.

- C. **Board Authorized Agreement(s):** All agreements which come before the Board of County Commissioners for: 1) Chair signature, or 2) Commission approval and authorization for the County Manager or department head signature, must follow this process. Agreements must be routed to the County Clerk's Office as set forth by the Clerk's Office (i.e. "Routing Form".) Agreement(s) must: be assigned an agreement(s) number via the County's agenda setting process, be complete, and all attachments and/or exhibits must be present prior to submission to the County Clerk's Office. A routing form, approved by the County Clerk's Office must be attached to the agreement(s). Agreement(s) should be signed by all other secondary (non-County) parties prior to submission to the County Clerk's Office whenever feasible; all fields must be complete (dates, etc.), exhibits must be included, and the complete document must be single-sided. If the agreement is not fully executed (still needs secondary signatures), the department must submit two copies of the agreement. Agreement(s) which are signed electronically or contain scanned signatures will be accepted and considered executed by the party and considered an official government document made in the course of regularly conducted activity for evidentiary purposes. The County Clerk's Office will require the originating department to confirm the agreement(s) is true and complete prior to indexing.
- D. Once the Board of County Commissioners or the designated department head or County Manager signs an agreement(s) the County Clerk will retain the original agreement(s), unless the State of Nevada or political subdivisions of the United States are required to retain the original, in which case an executed copy will be retained. After the meeting date, the County Clerk's Office will index and file the fully executed agreement(s) and provide a certified copy to the Recorder's Office along with instructions on where the recorded document should be returned. If the agreement(s) submitted was not fully executed (not signed by secondary parties), the County Clerk's Office will retain one original document, and return any additional original signed document(s) back to the originating department to collect the missing signatures. Once all signatures are collected, the document must be returned to the County Clerk's Office to be indexed, filed, and then a certified copy of the fully executed agreement will be sent to the Recorder's Office.
- E. Letters, presentations, and other non-agreement(s) documents, which come before the Board of County Commissioners for signature, must be provided to the County Clerk's Office no later than 3 (three) working days before the meeting date at which the item will be heard, and must be routed to the Clerk's Office as set forth by the Clerk's Office (i.e. Routing Form.) These types of items do not require an agreement number. They are not processed by the County Clerk's Office (indexed, filed, sent to be recorded or retained) unless it is a resolution, ordinance, or document concerning real property interests as determined by the County Clerk's Office. These types of documents will be returned to the originating department and must be retained for the required retention period per the Nevada State Archives Retention Schedule and County Policy 600.01.

III. **COUNTY MANAGER AUTHORIZATION FOR AGREEMENTS \$50,000 OR LESS, EXEMPTION FOR LEGAL SERVICE AGREEMENTS.**

- A. Pursuant to NRS 245.070, the County Manager, including any designated acting or interim County Manager, is authorized by the Board of County Commissioners to sign or approve for payment, on behalf of Douglas County, agreement(s), invoices, or purchase orders which are valued \$50,000.00 or less and to sign change orders on construction projects if the change is no greater than 10% of the total amount of the bid of the project. Additionally, the County Manager (including an interim or acting) is authorized to enter into professional service agreement(s) for legal services valued at more than \$50,000.00.

B. Agreement(s), invoices or purchase orders signed or approved by the County Manager (including acting and interim) pursuant to this subsection are not required to be indexed, filed, and sent to the Recorder's Office. Nothing in this procedure prohibits the County Manager (including an interim or acting) from requesting the Board of County Commissioners review, vote on, or sign agreement(s) and change orders. Additionally, this policy does not prohibit the Board of County Commissioners from requesting certain agreement(s) be approved by the vote of the County Commissioners or reviewed, even if already signed by the County Manager.

IV. **RESPONSIBILITY FOR REVIEW:** This policy will be reviewed by the Clerk-Treasurer as needed or at least once every 5 years.