

<b>Title:</b> Administrative Policy Sale of Information Technology and Geographic Information System Products	<b>Policy No.</b> Part 1, County Administration Chapter 5, Operations Section 5
	<b>Effective Date</b> October 16, 2007
<b>Policy Custodian</b> Information Technology Services	<b>Adoption/Revision Date</b> October 16, 2007

**Adopting Resolution(s):** CC07-468

**References (Statutes /Resos/Policies):** 24-72-201 et seq.; CC02-236, CC04-240

**Purpose:** To authorize the sale of information technology and geographic information system products that are produced through the manipulation of data for the benefit of the Customer.

**Policy:** Sale of Information Technology and Geographic Information System Products

**A. Service Provision**

1. The Information Technology Services (ITS) Division is authorized to sell information technology and geographic information system products that are produced through the manipulation of data for the benefit of a customer(s).
  - a. The sale, production, or manipulation of data shall not take priority over ITS 's primary responsibilities associated with the ongoing support of the activities of Jefferson County.
  - b. The ITS Director shall determine which databases, value added products, custom made products, subscription products, or other information/data may be sold. Any requests for records subject to disclosure as Public Records under the Colorado Public Records Act shall be provided in accordance with the County's policies pertaining to Public Records and the provisions of the Colorado Public Records Act.
    - (1) No user shall have the right to license, sub-license, assign, sell, copy or otherwise make available to other persons part or all of the System data without the express prior written permission of ITS.
    - (2) Third party proprietary data shall not be sold except as allowed by such lease and license agreements restricting transfer of such data.
  - c. ITS shall not issue nor shall the license terms and provisions provide any warranties or guarantees, either expressed or implied, as to the completeness, accuracy, correctness, merchantability, or fitness of any data, information, or product.
  - d. The sale of products hereunder shall be on a nonexclusive basis and shall be sold on a license basis pursuant to license terms and conditions. The products constitute proprietary information and/or trade secrets of Jefferson County, with all rights reserved to the County.

**B. Sale Procedures**

1. The Director of the Administrative Services Department is authorized to set reasonable fees for products and services.
2. The ITS Director is authorized to develop procedures to implement this policy.

### C. Exclusion of Liability

1. Nothing in this Policy shall be construed to create or impose any duty upon Jefferson County to plan, develop, implement, operate, maintain or manage any particular product.
2. The County is not responsible for damages or losses, including without limitation, incidental, consequential or special damages, arising out of the use of or reliance upon any data, information or products that may be furnished any Customer. By receiving products or services, each customer agrees that the data, information, or product provided will be used and relied upon only at the risk of the user.
3. The provision of products and services pursuant to this Policy is at the sole discretion of the County.