

RESOLUTION NO. 24-102

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DELEGATING CONSTRUCTION CONTRACT CHANGE ORDER AUTHORITY TO THE PURCHASING AGENT OR DIRECTOR OF TRANSPORTATION, AS SPECIFIED, OR THEIR DESIGNEES, PURSUANT TO PUBLIC CONTRACT CODE SECTION 20142

WHEREAS, Public Contract Code Section 20142 authorizes the Board of Supervisors by ordinance, resolution, or board order to authorize the county engineer, or other county officer, to order changes or additions in the work being performed under construction contracts. Changes or additions in the work shall be ordered in writing by the county engineer, or other designated officer, and the extra cost to the county for any change or addition to the work so ordered shall not exceed five thousand dollars (\$5,000) when the total amount of the original contract does not exceed fifty thousand dollars (\$50,000), nor 10 percent of the amount of any original contract that exceeds fifty thousand dollars (\$50,000), but does not exceed two hundred fifty thousand dollars (\$250,000). For contracts whose original cost exceeds two hundred fifty thousand dollars (\$250,000), the extra cost for any change or addition to the work so ordered shall not exceed twenty-five thousand dollars (\$25,000), plus 5 percent of the amount of the original contract cost in excess of two hundred fifty thousand dollars (\$250,000). In no event shall any such change or alteration exceed two hundred ten thousand dollars (\$210,000); and

WHEREAS, construction contracts on County buildings and properties are generally administered either by the Department of Transportation or General Services, a division of the Executive Office, depending on the type of project; and

WHEREAS, contract change orders to address both routine needs and unforeseen conditions are an expected part of construction contract administration; and

WHEREAS, such contract change orders are subject to review processes within the Department of Transportation and the General Services division; and

WHEREAS, in order to promote the efficient use of staff resources and the timely completion of public projects, it is the desire of the Board to authorize the Director of Transportation or their designee to order changes or additions in the work being performed under construction contracts administered by the Department of Transportation, and for the Purchasing Agent or their designee to order changes or additions in the work being performed under construction contracts administered by the General Services division, subject to the limits provided in Public Contract Code Section 20142 as it may be amended from time to time.

WHEREAS, the Board of Supervisors previously adopted Resolution No. 07-009 authorizing the Director of Transportation to execute change orders pursuant to Public Contract Code Section 20142, which section has been amended since 2007 to increase certain monetary limits but which Resolution did not provide for amending any monetary limits when the section was so amended.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors does hereby authorize the Director of Transportation or their designee to order changes or additions in the work being performed under construction contracts administered by the Department of Transportation, and the Purchasing Agent or their designee to order changes or additions in the work being performed under construction contracts administered by the General Services division, subject to the limits provided in Public Contract Code Section 20142 as it may be amended from time to time.

BE IT FURTHER RESOLVED that Resolution No. 07-009 is hereby superseded and replaced by this Resolution.

The foregoing Resolution introduced by Supervisor Haschak, seconded by Supervisor Gjerde, and carried this 25th day of June, 2024, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

MAUREEN MULHEREN, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
JAMES R. ROSS
Interim County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy