

RESOLUTION NO. 24-101

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE DIRECTOR OF TRANSPORTATION (COUNTY ROAD COMMISSIONER) OR A REGISTERED CIVIL ENGINEER UNDER THE DIRECTION OF THE DIRECTOR OF TRANSPORTATION TO EXECUTE CHANGE ORDERS FOR CONTRACTS PURSUANT TO SECTION 20395 OF THE CALIFORNIA PUBLIC CONTRACT CODE

WHEREAS, projects for the improvement of County Maintained Roads are commonly completed under contracts administered by the Mendocino County Department of Transportation; 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 a review process within the Department of Transportation; and

WHEREAS, following said Departmental review, such contract change orders have routinely been presented to the Board as Consent Calendar items; and

WHEREAS, under Section 20395 of the California Public Contract Code, the Board of Supervisors may authorize the Director of Transportation (County Road Commissioner) or a registered civil engineer under the direction of the Director of Transportation to execute contract change orders subject to certain cost limitations, which are currently as follows:

- (1) For contracts of fifty thousand dollars (\$50,000) or less, an amount not to exceed five thousand dollars (\$5,000), and for contracts over fifty thousand dollars (\$50,000) but not to exceed two hundred fifty thousand dollars (\$250,000), an amount not to exceed ten percent (10%) of the contract value, and in no event shall any charge or addition to the work exceed a net total addition of twenty-five thousand dollars (\$25,000);
- (2) 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 five percent (5%) of the amount of the original contract in excess of two hundred fifty thousand dollars (\$250,000), and in no event shall any change or alteration exceed two hundred ten thousand dollars (\$210,000); and

WHEREAS, Section 20395 of the California Public Contract Code is periodically amended to set forth updated cost limitations; and

WHEREAS, such authorization, up to the limits provided by State law, will further promote the efficient use of staff resources and the timely completion of projects on the County Maintained Road System; and

WHEREAS, the Board of Supervisors previously adopted Resolution No. 07-008 authorizing the Director of Transportation to execute change orders pursuant to Public Contract Code Section 20395, 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 hereby authorizes the Director of Transportation (County Road Commissioner) or a registered civil engineer under the direction of the Director of Transportation to execute contract change orders or additions to the work for any Department of Transportation contract subject to the cost limitations of Section 20395 of the California Public Contract Code, as said section currently exists and may be amended from time to time.

BE IT FURTHER RESOLVED that Resolution No. 07-008 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