RESOLUTION NO. ___630___ - 2020

A RESOLUTION AMENDING THE CHANGE ORDER APPROVAL PROCESS BY AUTHORIZING DESIGNATED PERSONNEL, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE ANY NECESSARY CHANGE ORDERS AND RELATED DOCUMENTS MEETING THE CRITERIA PROVIDED IN THIS RESOLUTION.

BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

WHEREAS, the Urban County Council adopted Resolution 696-2013 regarding the approval process for Contract Change Orders related to the Sanitary Sewer Remedial Measures outlined in CAO policy No. 15R; and

WHEREAS, the Urban County Council has seen the benefit of delegating such authority to expedite certain construction schedules and wishes to expand that authority to other departments and divisions when approving change orders to construction contracts and associated professional services agreements.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That in order to ensure the timely and cost-efficient completion of construction projects, the designated personnel herein, on behalf of the Lexington-Fayette Urban County Government, be and hereby are authorized to execute any necessary change orders to construction contracts and associated professional services agreements, as long as such change orders meet the criteria provided in this Resolution.

Section 2 – (a) Prior to approving any change order covered by this Resolution, the approving authority must verify that budgeted funds are available to cover any cost increase resulting from a change order.

(b) The department and/or division will not be required to request Council approval of a specific change order if the individual contract change order is 10% or less of the original contract award and the cumulative total increase for all change orders does not exceed 10.0% of the original contract award.

(c) If a change order is 5% or less of the original contract award, the Division Director shall have authority to approve such change order. If a change order is between 5.1% and 10% of the original contract award, the Division Director, the Director of Purchasing, and the Commissioner of the Department requesting the Change Order, must approve the change order. If the change order is more than 10% of the original contract award, or more than $1,000,000.00, the Urban County Council must approve the change order.

(d) The department and/or division approving change orders under the authority of this resolution must submit a memo describing the reasons for the change order with a copy of the contract change order form found in CAO Policy No. 15 to the Division of Purchasing within seven (7) days of executing the change order.

(e) Nothing in this Resolution shall change or modify approval or reporting requirements associated with grant funding.

(f) All change orders executed under the authority of this resolution must be necessary and appropriate for the completion of the project and shall not result in a material change to the original intent or scope of the project or the contract.

(g) A summary of all change orders executed pursuant to this Resolution shall be furnished to the Urban County Council quarterly, unless more frequent reporting is requested. An annual report must be submitted and presented to the Budget, Finance & Economic Development Committee.

(h) Any necessary change orders that do not comply with the criteria provided in this Resolution shall be submitted to the Council for authorization.

(i) Nothing in this Resolution shall affect or modify the process outlined in CAO Policy No. 15R relating to the Change Order Approval Process for Sanitary Sewer Remedial Measure Projects.

(j) The Chief Administrative Officer is delegated the authority to promulgate policies related to the management and enforcement of this Resolution.

Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: December 3, 2020

_____ _Linda Gorton_
MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL

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