

TABLED June 17, 2008 : TABLED June 24, 2008

Resolution authorizing the County Administrator to execute contracts for Contract Modifications in response to unforeseen conditions and/or changes in scope arising from the execution of contracts for the renovation and new construction of county buildings

WHEREAS, Ohio Revised Code Section 305.29 authorizes a Board of County Commissioners to appoint a county administrator who shall be the administrative head of the county under the direction and supervision of the Board; and

WHEREAS, the Board of Commissioners authorizes contracts for the renovation and new construction of county buildings; and

WHEREAS, on occasion circumstances require that these contracts be amended, extended, renewed, or terminated by the Board; and

WHEREAS, Ohio Revised Code Section 305.30 authorizes the county administrator to contract on behalf of the Board within limits provided by a resolution of the Board, provided that the resolution authorizing such actions shall also specify the types of contracts upon which the administrator may act without further resolution of the Board; and

WHEREAS, due to unforeseen conditions and/or changes in scope that may result in significant delays in construction, delay claims and other additional costs, assigning the county administrator the limited power to modify contracts that require immediate action or are time sensitive in nature for the renovation and new construction of county buildings will allow for cost-effective and timely project completions; and

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, OHIO;

1. That pursuant to the provisions of Ohio Revised Code 305.30, the county administrator is hereby granted authority to directly execute change orders on existing and future contracts for the renovation and new construction of county buildings in accordance with the terms and conditions of those contracts:
 - a. Execution of Change Orders for work that is mission critical to maintaining an effective construction schedule.
 - b. All Change Orders executed in this manner will be supported by the issuance of a Contract Modification (Franklin County (FM-MOD-430LC) requiring the approval and execution of same by the

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contractor, designated building team project representatives, the Prosecuting Attorney, County Auditor, Public Facilities Management Director, and the County Administrator.

2. The aforementioned authority is limited as follows:
 - a. The authority to execute any Contract Change Order shall be limited to increasing or decreasing the dollar value of the construction contract.
 - b. The county administrator shall, at the next meeting of the Board of County Commissioners, make the following report:
 - i. Contract Change Order approval actions taken by the county administrator;
 - ii. The reasons which necessitated a Contract Change Order approval.
 - c. The report of the county administrator shall be entered into the Minutes of the Board of County Commissioners by the Board's Clerk.
 - d. Construction contracts may not be extended, renewed, or terminated by Change Order without the prior authorization of the Board of County Commissioners.
 - e. On any county building project, the dollar value sum for all Contract Change Orders shall not exceed the total available budget appropriation for that building project.
 - f. All other terms and conditions of the original/underlying construction contract shall remain in full force and effect.

Prepared by: Michael Samuels

cc: Auditor
Purchasing Director
Public Facilities Management Director
County Administrator