

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO ESTABLISHING PROCEDURES FOR THE
APPROVAL OF CERTAIN CONTRACT CHANGE ORDERS
FOR THE CITY OF FRESNO ANIMAL CONTROL FACILITY
PROJECT

WHEREAS, Resolution 2017-158 establishing procedures for the approval of certain contract change orders on contracts awarded by the Council was adopted by the Council on June 15, 2017, rescinding previous Resolution 84-142 as amended by Resolution 89-470 and 94-114; and

WHEREAS, the construction contract for the City of Fresno Animal Control Facility was awarded by the Council on May 21, 2020;

WHEREAS, the contract change order to be approved on December 3, 2020, for the City of Fresno Animal Control Facility exceeds the authority of the City Manager as set forth under Resolution 2017-158 and all future cost-increasing change orders would require approval by the Council under the present resolution; and

WHEREAS, the Council approved the issuance of bonds on September 24, 2020, to finance the cost of the City of Fresno Animal Control Facility in an amount not to exceed \$22 million; and

WHEREAS, the total project budget as included in the bond proceeds provides funding for project management, design, permit fees, construction, inspection, testing, construction contract administration, procurement of vehicles, computers and ancillary items necessary for the Animal Control Facility, including a construction contingency; and

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Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

WHEREAS, all activities during the construction phase of the Animal Control Facility project are presently and will be time-sensitive in order to meet contractual deadlines for completing the new facility; and

WHEREAS, the Council desires to provide the City Manager with a limited amount of change order approval authority for the duration of the Animal Control Facility project, in order to expeditiously complete the project without delay.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The City Manager is authorized to approve contract change orders for the Animal Control Facility project subject to the following restrictions:

a. No change orders shall be approved in excess of the total project budget as authorized by the Council under the September 24, 2020, action to approve issuance of bonds.

b. No change orders shall be approved without appropriations in place.

c. Approval of any future contract change orders which aggregate more than 5% of the amended contract price following approval of Contract Change Order No. 2, shall be subject to prior authorization from Council.

d. All other provisions of Resolution 2017-158 shall remain in full force and effect.

2. The City Manager shall provide Quarterly Reports to the Council for the Animal Control Facility project on life-to-date project costs, construction progress, approved and pending change orders (if any). Quarterly reports shall be provided for

periods ending December 21, 2020; March 31, 2021; June 30, 2021; September 30, 2021; and December 31, 2021, with the reports to be provided to the Council not later than 21 calendar days after the ending date for the reporting period.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the ____ day of December 2020.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2020
Mayor Approval/No Return: _____, 2020
Mayor Veto: _____, 2020
Council Override Vote: _____, 2020

YVONNE SPENCE, MMC CRM
City Clerk

BY: _____

Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

BY: _____
Brandon Collet, Date
Senior Deputy City Attorney