



METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Commission

DATE: December 16, 2015

FR: Executive Director

W. I. 1150

RE: MTC Resolution No. 3619, Revised –Recommended Revisions to Executive Director’s Signature Authority

On December 9, 2015, the Administration Committee forwarded to the Commission a revision to MTC Resolution No. 3619, Revised which would increase the Executive Director’s signature authority for contract actions from \$100,000 to \$200,000. At the December 11, 2015 Operations Committee meeting, in an unrelated item, staff presented an Emergency Management Program Update. During the presentation, the Operations Committee expressed its desire to provide sufficient authority to the MTC Executive Director to enter into contracts related to emergencies and directed staff to prepare an item to increase the Executive Director’s contracting authority for emergency contracts to \$1,000,000.

As a result of this request, staff is recommending that the Commission approve the revisions to MTC Resolution No. 3619, Revised, set forth in the attached revised resolution.

Steve Heminger

Attachment: MTC Resolution No. 3619, Revised

Date: March 24, 2004
W.I.: 1150
Referred by: Administration
Revised: 04/25/07-C
06/23/10-C
04/24/13-C
12/16/15-C

ABSTRACT

Resolution No. 3619, Revised

Resolution No. 1101 delegated signature authority to the Executive Director of the Commission, Deputy Executive Director, or a designee of the Executive Director, to enter into certain specific contracts and funding agreements without Administration Committee approval.

This resolution revises the signature authority delegated to the Executive Director by the Commission, or to the Deputy Director if authorized by the Executive Director, to enter into certain specified contracts and funding agreements without Administration Committee approval.

Resolution No. 1101 is superseded.

Attachment A of this resolution was revised on April 25, 2007 to delegate signature authority to the Executive Director of the Commission or to the Deputy Director or other designee, if authorized by the Executive Director, to execute contract amendments that in total do not exceed the dollar value of a contract allotment approved by the Commission. In addition, clarifying changes were made to this resolution to reflect MTC's current staffing organization and Committee structure.

Attachment A of this resolution was revised on June 23, 2010 to modify and clarify the delegation of signature authority.

Attachment A of this resolution was revised on April 24, 2013 to augment the signature authority of the Executive Director and the Deputy Executive Director in relation to emergency expenditures, as defined in Attachment A.6.

Attachment A of this resolution was revised on December 16, 2015 to increase the delegation of signature authority from \$100,000 to \$200,000 for all contracts, except for emergency contracts, for which authority was increased from \$100,000 to \$1,000,000.

Discussion of these items can be found in the Executive Director's Memoranda to the Administration Committee dated February 25, 2004, April 4, 2007, April 3, 2013 and December 2, 2015, the Deputy Executive Director's Memorandum to the Administration Committee dated June 2, 2010, and the Executive Director's Memorandum to the Commission dated December 16, 2015.

Date: March 24, 2004
W.I.: 1150
Referred by: Administration

RE: Delegation of Contracting Authority, without Administration Committee approval, to the Executive Director of the Commission, a Deputy Director, or a designee of the Executive Director

METROPOLITAN TRANSPORTATION COMMISSION

Resolution No. 3619

WHEREAS, the Metropolitan Transportation Commission (Commission) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code § 66500 *et seq.*; and

WHEREAS, pursuant to Government Code § 66505, the Commission has appointed an Executive Director who, subject to the direction of the Commission, has charge of administering the affairs of the Commission; and

WHEREAS, pursuant to the Executive Director's duties in administering the affairs of the Commission, the Executive Director, among other things, enters into contracts and purchase orders for goods and services necessary to carry out the statutory purposes of the Commission and funding agreements with other public agencies for the distribution and receipt of funds; and

WHEREAS, funds for such purchase orders, contracts and funding agreements are programmed by the Commission with the adoption of the annual Overall Work Program (OWP) and annual budget for each fiscal year and are approved via appropriate committee(s) of the Commission; and

WHEREAS, in order to efficiently administer such purchase orders, contracts and funding agreements, the Commission authorized the Executive Director, pursuant to MTC Resolution No. 1101, to execute certain agreements without prior approval by the Administration Committee; and

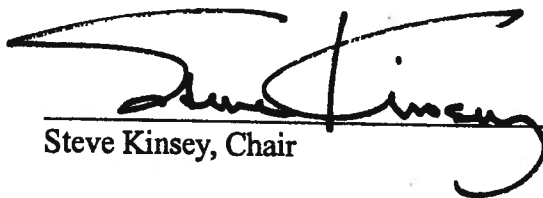
WHEREAS, the Commission wishes to modify MTC Resolution No. 1101; now, therefore, be it

RESOLVED, that the Executive Director, or the Deputy Director, or a designee of the Executive Director, is hereby authorized and directed to sign purchase orders, contract documents and funding agreements, as indicated on Attachment A; and, be it further

RESOLVED, that any action taken by the Executive Director (or the Deputy Director or designee, as applicable), shall be reported to the Administration Committee as part of the monthly financial reporting procedure; and, be it further

RESOLVED, that Commission Resolution No. 1101 is superseded with the adoption of this resolution.

METROPOLITAN TRANSPORTATION COMMISSION



Steve Kinsey, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on March 24, 2004.

Date: March 24, 2004
W.I.: 1150
Referred by: Administration
Revised: 04/25/07-C
06/23/10-C
04/24/13-C
12/16/15-C

Attachment A
Resolution No. 3619
Page 1 of 2

1. References to “contracts” in this Attachment refer also to “purchase orders”.
2. The Executive Director or a designated Deputy Executive Director is hereby authorized to sign contracts and/or amendments to contracts totaling \$200,000 ~~\$100,000~~, without referral to a standing Committee of the Commission with contract approval authority, provided the things to be purchased or the work to be done are included in the annual Overall Work Program and/or the annual budget approved by the Commission. This delegated authority is renewed for any single contract each time the appropriate Committee approves a new total contract amount.
3. The Executive Director may authorize MTC Section Directors to sign contracts and/or amendments to such contracts with a total contract value up to \$25,000 cumulatively.
4. Where a Commission Committee with contract approval authority has approved a contract allotment in addition to the original contract amount to cover changes that may be required during the performance period, the Executive Director or a designated Deputy Executive Director is authorized to sign change orders and contract amendments that in total do not exceed the approved contract allotment, without further referral to the appropriate authorizing Committee.
5. The Executive Director or designated Deputy Executive Director is authorized to sign funding agreements and amendments to funding agreements included in the annual Overall Work Program and/or the annual budget approved by the Commission authorizing MTC to receive funds from other public agencies and to distribute funds to other public agencies without referral to the appropriate authorizing Committee and without regard to dollar amount, provided, with respect to distribution of funds, that the recipients are named in the

Overall Work Program or annual agency budget or by action of another Committee of the Commission. Funding agreements distributing funds to recipients not so named are subject to the delegation authority for contracts and amendments in paragraphs one, two and three of this Attachment.

6. The Executive Director ~~and a Deputy Executive Director~~ is hereby authorized to sign contracts and to waive competitive procurement requirements for emergency contracts and purchase orders, with the approval of the Commission Chair, or in his/her absence, the Vice Chair, provided that; (i) funds for the contract or purchase order are available in the adopted agency budget; and (ii) each emergency contract or purchase order may not exceed ~~\$100,000~~ \$1,000,000. "Emergency" contract is defined as a contract necessary to deal with Acts of God or other threats to public safety or well-being when the delay caused by waiting for the next meeting of the Committee or Commission would increase that threat. ~~Any contract or purchase order in excess of \$100,000 shall be ratified by the appropriate authorizing Committee or Commission at the next regular meeting.~~